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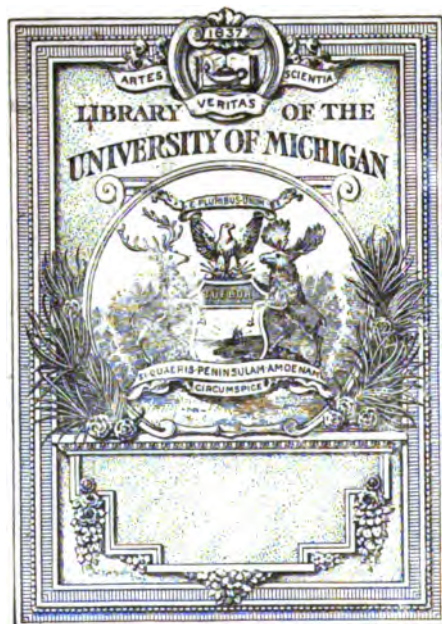
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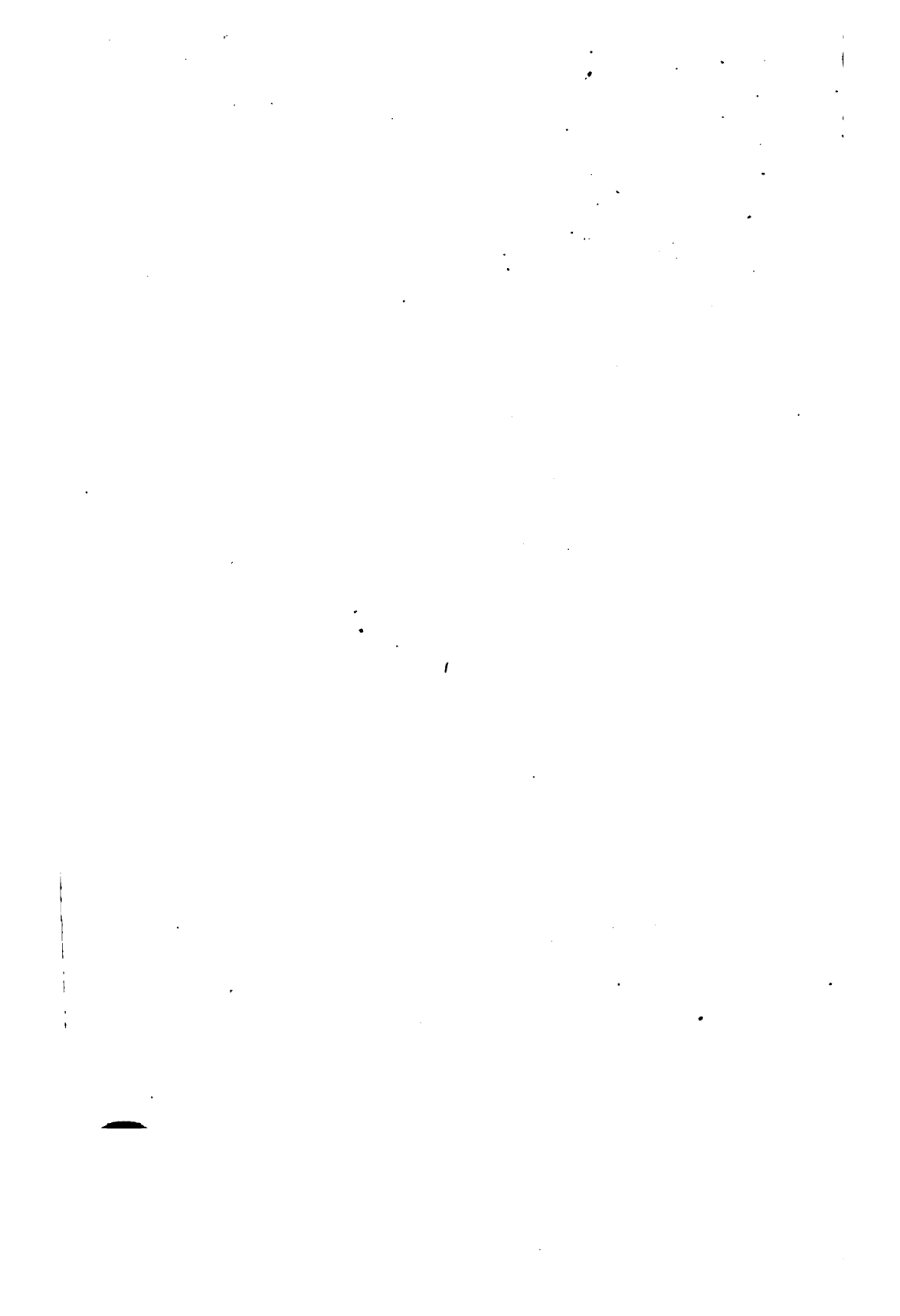
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*STATE OF WISCONSIN.*

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IN SENATE.

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JOURNAL OF PROCEEDINGS

OF THE

TWENTY-NINTH ANNUAL SESSION

OF THE

WISCONSIN LEGISLATURE.

*BY AUTHORITY.*

MADISON, WIS.:  
E. B. BOLENS, STATE PRINTER.

1876.



IN SENATE.

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# JOURNAL OF PROCEEDINGS

OF THE

*TWENTY-NINTH ANNUAL SESSION.*

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WEDNESDAY, JANUARY 12, 1876.

The Twenty-Ninth Annual Session of the Legislature of the State of Wisconsin, began at Madison, the Capital of the said State, the second Wednesday, being the 12th day of January, 1876.

Pursuant to law, at 12 o'clock M., of said day, the Senate was called to order by Lieutenant-Governor C. D. Parker, in the following words:

SENATORS:—The hour fixed by law, for the convening of the Legislature of our State, for the year 1876, has arrived.

On assuming the position of President of this honorable body for the third time, I feel no less the great responsibilities resting upon me than when I first took this chair.

I shall still need your assistance and indulgence, without which no presiding officer can succeed.

In return for this courtesy, I shall, to the best of my ability, endeavor to be impartial and just in all my rulings, carrying out the wishes of the Senate, as expressed in its rules and practice.

I hope each Senator will labor earnestly to promote the interests of the whole State, and that our Centennial Session may long be noted for the harmony and practical ability of its Senate.

The roll of Senators holding over from 1875 was called by Fred. A. Dennett, Chief Clerk of that session, and the following Senators from their respective districts appeared and took their seats:

*List of Senators holding over from 1875.*

District No. 1.—E. Eastman.  
No. 5.—R. H. Baker.  
No. 7.—G. E. Bryant.  
No. 9.—D. McFarland.  
No. 11.—F. Campbell.  
No. 13.—Jno. A. Barney.  
No. 15.—Jno. Schuette.

District No. 17.—H. N. Davis.  
No. 19.—Wm. P. Rounds.  
No. 21.—W. C. Silverthorn.  
No. 23.—W. W. Reed.  
No. 25.—R. L. D. Potter.  
No. 27.—L. W. Barden.  
No. 29.—Thos. B. Scott.  
No. 31.—S. L. Nevins.  
No. 33.—G. J. Wilmot.

Senator Wm. H. Jacobs, from the 3d district, was absent.

*List of Senators elected in the State of Wisconsin at the General Election held therein on the 2d day of November, 1875.*

District No. 2.—T. R. Hudd.  
No. 4.—J. Henry Tate.  
No. 6.—Jno. L. Mitchell.  
No. 8.—Asahel Farr.  
No. 10.—Wm. Blair.  
No. 12.—J. B. Treat.  
No. 14.—David E. Welch.  
No. 16.—O. C. Hathaway.  
No. 18.—Wm. H. Hiner.  
No. 20.—Daniel Cavanagh.  
No. 22.—James Ryan.  
No. 24.—Henry D. Barron.  
No. 26.—R. E. Davis.  
No. 28.—Daniel L. Downs.  
No. 30.—Rockwell J. Flint.  
No. 32.—Mark Douglas.

I, Peter Doyle, Secretary of State of the State of Wisconsin, do hereby certify that the foregoing is a true and correct list of the members of the Senate of the State of Wisconsin, elected at the general election held on the 2d day of November, 1875, as appears from the certificates of the county clerks of the several counties named in the foregoing list now on file in this office.

In testimony whereof, I have herein set my hand and affixed the great seal of the State of Wisconsin, at the Capitol, in Madison, the 12th day of January, A. D., 1876.

PETER DOYLE,  
*Secretary of State.*

— — —  
The Senators elect, (Senator Daniel Cavanagh being absent,) then appeared at the desk and subscribed to oath of office, which was administered by the President of the Senate.

The roll being again called the following Senators responded to their names:

Senators Baker, Barden, Burney, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman,

Farr, Flint, Hathaway, Hiner, Hudd, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Silverthorn, Scott, Tate, Treat, Welch, and Wilmot—31.

And the President declared the Senate ready for business.

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### ELECTION OF OFFICERS.

On motion of Senator Hiner,

The Senate proceeded to the election of Chief Clerk.

The following Senators voted for A. J. Turner:

Senators Baker, Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Nevins, Potter, Rounds, Schuette, Scott, Tate, Treat, and Welch—21.

The following Senators voted for B. S. Potter:

Senators Barney, R. E. Davis, Eastman, Hudd, McFarland, Mitchell, Reed, Ryan, Silverthorn, and Wilmot—10.

On motion of Senator H. N. Davis,

The Senate proceeded to the election of Sergeant-at-Arms.

The following Senators voted for E. T. Gardner:

Senators Baker, Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Nevins, Potter, Rounds, Schuette, Scott, Tate, Treat, and Welch—21.

The following Senators voted for J. A. Killian:

Senators Barney, R. E. Davis, Eastman, Hudd, McFarland, Mitchell, Reed, Ryan, Silverthorn, and Wilmot—10.

On motion of Senator Baker,

The Senate proceeded to the election of President *pro tem.* of the Senate.

The following Senators voted for the Hon. R. L. D. Potter:

Senators Baker, Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Nevins, Rounds, Schuette, Scott, Tate, Treat, and Welch—21.

The following Senators voted for the Hon. R. E. Davis:

Senators Barney, Eastman, Hudd, McFarland, Mitchell, Potter, Reed, Ryan, Silverthorn, and Wilmot—10.

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### RESOLUTIONS INTRODUCED.

By Senator Barron :

Resolution No. 1, S.,

*Resolved*, That the rules of the last session be adopted as the rules of this until otherwise ordered.

The resolution was adopted.

By Senator Scott :

Resolution No. 2, S.,

*Resolved*, That the Chief Clerk of the Senate is hereby instructed to notify the Assembly that the Senate is now organized by the



election of R. L. D. Potter as President *pro tem.*, A. J. Turner as Chief Clerk, and E. T. Gardner as Sergeant-at-Arms, and is ready to proceed to business.

The resolution was adopted.

On motion of Senator Barron,

The Senate took a recess until 2:30 P. M.

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2:30 O'CLOCK, P. M.

The Senate re-assembled.

The Lieut.-Governor appointed Senators R. E. Davis and Barron to conduct Senator Potter, President *pro tem.*, to the chair.

Upon assuming the duties of the same, President Potter spoke as follows:

SENATORS:—I feel deeply grateful to you for the honor conferred in selecting me to preside for the time being over this body. In selecting me for this position, you have generously forgotten my foibles, or credited them to the weaker portion of my nature, while whatever of merit I may possess, has received at your hands the most cordial indorsement. When called upon to preside over the deliberations of this body, I shall endeavor to do so fairly and impartially, and to accord to every Senator on this floor that courtesy and consideration which his position as a member of this body demands.

Senator Barron moved that the calling of the roll in the morning be omitted.

The ayes and nays being called for the motion was lost, two-thirds not having voted in the affirmative, as follows:

Those who voted in the affirmative were:

Senators Baker, Barney, Barron, Blair, Bryant, R. E. Davis, Douglas, Hiner, Hudd, McFarland, Mitchell, Nevins, Reed, Rounds, Schuette, Scott, Tate, and Wilmot—18.

Those who voted in the negative were:

Senators Barden, Campbell, H. N. Davis, Downs, Eastman, Farr, Flint, Hathaway, Potter, Ryan, Silverthorn, Treat, and Welch—13.

On motion of Senator Hiner,

The Senate took a recess of 30 minutes.

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Senate re-assembled.

On motion of Senator Barron,

The Senate took a recess of 15 minutes.

---

Senate re-assembled.

## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

Mr. PRESIDENT:—I am directed to inform you that the Assembly has organized by the election of S. S. Fifield, Speaker; R. M. Strong, Chief Clerk; and Elisha Starr, Sergeant-at-Arms, and is ready to proceed to business.

---

## RESOLUTIONS INTRODUCED.

By Senator Barron:

Jt. Res. No. 1, S.,

*Resolved, by the Senate the Assembly concurring,* That there be appointed a joint committee of two upon the part of the Senate, and three on the part of the Assembly, to wait upon his excellency, and inform him that the legislature is organized and ready to receive any communication he may have to make.

Resolution was adopted.

Senators Barron and R. E. Davis were appointed as the committee on part of the Senate.

By Senator Barron:

Jt. Res. No. 2 S.,

*Resolved, by the Senate the Assembly concurring.* That there be appointed a joint committee of three, one on the part of the Senate and two on the part of the Assembly, to revise the joint rules of the Senate and Assembly, and that said committee is instructed to report at an early day.

The resolution was laid over under the rules.

By Senator Barron:

Res. No. 3 S.,

*Resolved,* That there be appointed a committee of three to revise the rules of the Senate, and that said committee is instructed to report at an early day.

The resolution was laid over under the rules.

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## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

Mr. PRESIDENT:—I am directed by the Assembly to inform you that the Assembly has concurred in Jt. Res. No. 1, S.,

And have appointed Messrs. Ellsworth, Barlass, and Lees the committee on the part of the Assembly.

Senator Barron presented the following report of the joint committee to wait upon the Governor.

The joint committee appointed to wait upon his excellency the Governor to inform him that the legislature was organized and ready to receive any communications he may have to submit, awaited upon his excellency and are informed by him that he will submit his message on Thursday, (to-morrow,) at two o'clock P. M.

H. D. BARRON,

*Chairman of Senate Committee.*

LEMUEL ELLSWORTH,

*Chairman of Assembly Committee.*

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### RESOLUTIONS INTRODUCED.

By R. E. Davis:

Jt. Res. No. 3.,

*Resolved, by the Senate the Assembly concurring,* That the two houses of the legislature meet in joint convention, in the Assembly chamber, at 2 o'clock P. M., January 13, to receive the message of his excellency the Governor.

Resolution was adopted.

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On motion of Senator Campbell,  
The Senate adjourned.

THURSDAY, JANUARY 13, 1876.

The Senate met,  
The Lieut.-Governor presiding.  
On motion of Senator Barron,  
The reading of the minutes was dispensed with.

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MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

Mr. PRESIDENT:—I am directed to inform you that the Assembly has adopted and asks the concurrence of the Senate in the adoption of,

Jt. Res. No. 1, A.,  
Relating to joint. rules  
And has concurred in,  
Jt. Res. No. 1, S.,  
Appointing committee to wait on Governor.

---

RESOLUTIONS INTRODUCED.

By Senator H. N. Davis:

Res. No. 4, S.,

*Resolved*, That the Secretary of State is hereby instructed to furnish the Sergeant-at-Arms, for the use of the Senate, six copies of Taylor's revised statutes, one copy to be in charge of the Judiciary Committee; also one copy of the general laws for each year since 1872, to each Senator. Said books to be returned to the Secretary of State at the close of the session; also to furnish each Senator a copy of the Senate and Assembly Journal for the year 1875.

The resolution was laid over under the rules.

By Senator Barron:

Jt. Res. No. 4, S.,

*Resolved, by the Senate the Assembly concurring,* That there be appointed a joint committee of three upon the part of the Senate, and six on the part of the Assembly, to consider and report upon the re-apportionment of the State into senate and assembly districts.

The resolution was laid over under the rules.

By Senator Barron:

Res. No. 5 S.,

*Resolved,* That the Standing Committees of the Senate during the present session be as follows:

*On Judiciary*—Senators Barron, Potter, Bryant, Silverthorn, Hudd.

*On Finance*—Senators Baker, Treat, Jacobs.

*On Incorporations*—Senators Scott, Baker, Eastman.

*On Roads, Bridges, and Ferries*—Senators Schuette, Tate, Cavanagh.

*On Town and County Organizations*—Senators Rounds, Blair, McFarland.

*On Military Affairs*—Senators Welch, H. N. Davis, Barney.

*On Privileges and Elections*—Senators Farr, Douglas, Silverthorn.

*On Agriculture*—Senators Barden, Schuette, Cavanagh.

*On Legislative Expenditures*—Senators Tate, Rounds, Mitchell.

*On State Affairs*—Senators Barden, Bryant, Mitchell.

*On Federal Relations*—Senators Bryant, Farr, Hudd.

*On Education*—Senators Nevins, Hiner, R. E. Davis.

*On Banks and Banking*—Senators Blair, Hiner, Silverthorn.

*On Internal Improvements*—Senators Treat, Hathaway, Wilmot.

*On Contingent Expenses*—Senators Downs, Schuette, Reed.

*On Public Lands*—Senators Douglas, Rounds, McFarland.

*On State Prison*—Senators Hathaway, Blair, Eastman.

*On Railroads*—Senators Hiner, Barron, Potter, Campbell, Farr, Scott, Jacobs, Barney, Wilmot.

*On Engrossed Bills*—Senators Welch, Baker, R. E. Davis.

*On Enrolled Bills*—Senators Flint, H. N. Davis, Ryan.

And that the following constitute the Senate part of joint committees for the present session:

#### JOINT COMMITTEES. •

*On Claims*—Senators Campbell, Nevins, Eastman.

*On Charitable and Penal Institutions*—Senators H. N. Davis, Downs, Reed.

*On Local Legislation*—Senators Potter, Wilmot.

*On Printing*—Senators Flint, Ryan.

The rules were suspended and the resolution adopted.

Senator R. E. Davis moved,

To reconsider the vote by which,

Res. No. 1, S.,

Was adopted on yesterday.

The ayes and nays being called for, the motion was lost by the following vote:

Ayes—Senators Barney, Barron, Blair, H. N. Davis, R. E. Davis, Hiner, McFarland, Mitchell, Nevins, Rounds, Ryan, Scott, Silverthorn, and Wilmot—14.

Nays—Senators Barden, Campbell, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hudd, Potter, Reed, Schuette, Tate, Treat, and Welch—15.

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### RESOLUTIONS CONSIDERED.

The Senate refused to adopt

Jt. Res. No. 2, S.,

By the following vote:

Ayes—Senators Barron, Blair, Bryant, R. E. Davis, Hiner, McFarland, Mitchell, Nevins, Potter, Rounds, Schuette, Scott, Tate, and Wilmot—14.

Nays—Senators Baker, Barden, Barney, Campbell, H. N. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hudd, Reed, Ryan, Silverthorn, Treat, and Welch—17.

Res. No. 3, S.,

To appoint committee to revise rules,

Was adopted.

Senator Baker moved,

To reconsider the vote not adopting

Jt. Res., No. 2, S.,

Which motion prevailed.

The resolution was then adopted.

---

### BILLS INTRODUCED.

By Senator Hudd:

No. 1, S.,

A bill to provide for the appointment of phonographic-reporters for second county court of Brown county.

On motion of Senator Hudd,

The rules were suspended and the bill was passed.

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### LEAVES OF ABSENCE.

Senator Mitchell asked indefinite leave of absence for Senator Jacobs,

Which was granted.

## ASSEMBLY MESSAGE CONSIDERED.

Relating to joint rules.  
Jt. Res., No. 1, A.,  
Was concurred in.

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On motion of Senator Potter,  
The Senate took a recess until 1:45 P. M.

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1:45 P. M.

The Senate re-assembled,  
Lieutenant-Governor Parker in the chair.  
On motion of Senator R. E. Davis,  
The Senate took a recess until 2:20 P. M.

---

2:20 P. M.

The Senate re-assembled,  
Lieutenant-Governor Parker in the chair.

---

## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof :

MR. PRESIDENT:—I am directed to inform you that the Assembly is now ready to meet the Senate in joint convention.

---

The Lieutenant-Governor presented depositions and other papers relating to the seat of J. Henry Tate, Senator for the fourth senatorial district, which is contested by Reuben May.

The several papers were referred to the Committee on Privileges and Elections.

The Senate then proceeded to meet the Assembly in joint convention to listen to the reading of the Governor's Message.

---

## JOINT CONVENTION.

On repairing to the Assembly Chamber, Lieut.-Gov. Parker called the joint convention to order.



Senator Baker moved that a committee of one on the part of the Senate, and two on the part of the Assembly, be appointed by the president of this convention to wait upon his excellency, the Governor, and notify him that the Senate and Assembly in joint convention assembled in the Assembly Chamber are ready to receive any communication he may be pleased to make.

The motion was adopted.

The president appointed as such committee Senator Baker and Assemblymen Fisk and Pullen.

The committee discharged the duty devolved upon them and soon announced his excellency, the Governor of the State of Wisconsin, who appeared and read the following

#### ANNUAL MESSAGE.

(Not ordered printed.)

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Upon returning to the Senate Chamber,  
On motion of Senator Potter,  
The Senate adjourned.

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FRIDAY, JANUARY 14, 1876.

The Senate met,  
The Lieutenant Governor presiding.  
Roll called.

The following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot.

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#### ANNOUNCEMENTS.

The appointment of the following messengers was announced:

Arthur A. Hills, messenger to the Lieutenant-Governor.

Fred. Richards, messenger to the Chief Clerk.

Dan. Trainor, messenger to the Sergeant-at-Arms.

Eugene Abbott, messenger.

Sherman G. Potter, messenger.

George Gewecke.

Herbert Rinder, messenger.

Lucien Pickarts, messenger.

Willie Scrampton, messenger.

The President announced the appointment of the following committee to revise the rules, under resolution No. 3 S.:

Senators Baker, R. E. Davis, and Barron.

### COMMUNICATIONS.

OFFICE LUMBER-INSPECTOR, DISTRICT No. 2,  
*LA CROSSE, Wis., January 8, 1876.*

*To the honorable, the Legislature of Wisconsin:*

Agreeable to section 13, chapter 83, of general laws of 1861, I have the honor to transmit herewith a statement of amount of logs scaled, and lumber manufactured in this lumber-district during the season of 1875:

|  |                   |
|--|-------------------|
| Amount of logs scaled at mouth of Black River.....                     | 188,344,640 feet. |
| Amount of lumber manufactured on upper Black River.....                | 23,500,000 feet.  |
| Total product of Black River.....                                      | 211,844,640 feet. |
| Amount of lumber manufactured at La Crosse and immediate vicinity..... | 55,260,000 feet.  |
| Amount of shingles manufactured in district.....                       | 26,000,000 feet.  |
| Amount of lath.....  | 21,800,000 feet.  |

ALEX HYSLOP,  
*Lumber-Inspector, District No. 2.*

### RESOLUTIONS INTRODUCED.

By Senator H. N. Davis:

Res. No. 6, S.,

*Resolved*, That the President of the Senate be requested to invite the resident clergymen of the city of Madison to open the morning session of the Senate with prayer.

The rules were suspended and the resolution was adopted.

By Senator Farr:

Res. No. 7, S.,

*Resolved*, That, as the Committee on Privileges and Elections have in their hands the testimony in case of the contested seat of the Senator from the 4th district, and that said committee may give the matter immediate attention, they are hereby authorized to employ a clerk.

The rules were suspended and the resolution was adopted.

## RESOLUTIONS CONSIDERED.

Jt. Res. No. 4, S.,

To appoint a joint committee to consider and report on re-apportionment of the State into senate and assembly districts.

The resolution was adopted.

Res. No. 4, S.,

Instructing Secretary of State to furnish revised statutes, etc., for use of Senate.

The resolution was adopted.

---

BILLS INTRODUCED.

Read first and second times, and referred.

By Senator Scott:

No. 2, S.,

A bill to change and prescribe the times for holding the terms of the circuit court for the county of Wood, in the seventh judicial circuit.

On motion of Senator Scott,

The rules were suspended, the bill was read a third time, and passed.

By Senator McFarland:

No. 3, S.,

A bill to amend an act entitled "an act to incorporate the Mineral Point and Portage City Railroad Company," approved October 13, 1856.

To Committee on Railroads.

By Senator Barney:

No. 4, S.,

A bill supplemental to an act entitled, "an act to encourage the building of narrow-gauge railroads, and to secure cheap transportation to the people."

To Committee on Railroads.

By Senator Silverthorn:

No. 5, S.,

A bill to authorize and empower Leonard Guenther to erect and maintain a system of piers and booms on the Wisconsin River, in the town of Knowlton, Marathon county.

To Committee on Internal Improvements.

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On motion of Senator Hiner,

The Senate adjourned until 8 o'clock Monday evening.

MONDAY, JANUARY 17. 1876,

8 O'CLOCK P. M.

The Senate met, pursuant to adjournment, Lieutenant-Governor presiding.

The roll was called and the following Senators responded to their names.

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Eastman, Flint, Hathaway, Hiner, Hudd, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Silverthorn, Tate, Treat, Welch, and Wilmot.

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### MEMORIALS PRESENTED AND REFERRED.

By Senator Schuette :

Mem. No. 1, S.,

Memorial of Henry Stoll and others, asking the repeal of all laws exempting any property from taxation.

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### RESOLUTIONS INTRODUCED.

By Senator Flint :

Res. No. 8, S.,

*Resolved*, That the State Treasurer be respectfully requested to transmit to the Senate a statement showing the receipts and disbursements of the Treasury in the various funds between the 30th day of September, 1875, and the 1st day of January, 1876, and the balances belonging to the different funds on the day last named ; and also the amount of unpaid warrants on the Treasury (if any there were) January 1, 1876.

The resolution lies over.

By Senator Flint:

Res. No. 9, S.,

*Resolved*, That the board of Railroad Commissioners are hereby directed to request the land department of the West Wisconsin Railway Company to transmit to them a statement showing the following information relative to sales of land made by said depart-

ment from the beginning of its operations to January 1, 1876, to wit:

1. Number of acres sold, contracted to be sold, or mortgaged.
2. Highest price paid per acre.
3. Lowest price paid per acre.
4. Average price paid per acre.
5. Amount of revenue derived from lands rented for various purposes, and exempt from taxation.

The said board to transmit the statement or a certified copy thereof to the Senate when received.

The resolution lies over.

---

### BILLS INTRODUCED.

Read first and second times and referred.

By Senator Barney:

No. 6, S.,

A bill to authorize town insurance companies to insure real and personal property in any town and adjoining towns in the same county where such insurance companies may be located, and to legalize such insurance heretofore made.

To Committee on Insurance.

By Senator Silverthorn:

No. 7, S.,

A bill to amend section 25, of chapter 119, of the revised statutes, entitled, "general provisions concerning courts of record, of the powers and duties of judges, and of attorneys and officers of court."

To Committee on Judiciary.

By Senator Potter:

No. 8, S.,

A bill relating to the assessment of property for taxation, to repeal chapter 120, of the general laws of 1871, and to revive, restore and re-enact section 4, of chapter 27, of the general laws of 1871.

To Committee on Judiciary.

By Senator Potter:

No. 9, S.,

A bill relating to the preservation of game and amendatory of section 1, of chapter 139, of the general laws of 1875, entitled an act to amend section 3, of chapter 78, of the general laws of 1867, entitled an act for the preservation of game.

To Committee on Judiciary.

By Senator Welch:

No. 10, S.,

A bill relating to highways and amendatory to section 1 of chapter 130, general laws of 1867.

To Committee on Roads, Bridges, and Ferries.

By Senator Barron:

M. C. No. 1, S.

Memorial to Congress for the establishment of a daily mail-route between Marine Mills, Washington county, Minnesota, *via* Farmington Center, to Osceola Mills, Wisconsin.

To Committee on Federal Relations.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has concurred in,

No. 1, S.,

A bill to provide for the appointment of a phonographic reporter for the second county court of Brown county; and

Jt. Res., No. 2, S.,

Appointing a committee to revise joint rules.

Jt. Res. No. 4, S.,

To appoint a joint committee to consider and report on re-apportionment of Senate and Assembly districts.

---

#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has passed and asks the concurrence of the Senate in

No. 1, A.,

A bill to regulate the time of holding general and special terms of the circuit court in the sixth judicial circuit.

No. 5, A.,

A bill to legalize certain school-district meetings in the towns of Royalton, Little Wolf, and Mukwa, in Waupaca county.

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#### ASSEMBLY MESSAGES CONSIDERED.

No. 1, A.,

The rules were suspended, on motion of Senator Nevins, and the bill was read a third time and concurred in.

No. 5, A.,

Was, on motion of Senator Silverthorn, referred to the general file.

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On motion of Senator Schuette,  
The Senate adjourned.

TUESDAY, JANUARY 18, 1876.

10 O'CLOCK A. M.

The Senate met.

Lieutenant-Governor presiding.

Prayer by Rev. Dr. Wilkinson.

The roll was called and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, Welch, Wilmot.

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#### MEMORIALS PRESENTED AND REFERRED.

By Senator Silverthorn:

Mem. No. 2, S.,

Of the officers of joint school-district No. 1, of the towns of Royalton, Little Wolf, and Mukwa, for an act legalizing their annual school meeting.

To General File.

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The Chair presented depositions in the matter of contest between Reuben May, contestant, and James Henry Tate, claimant, for the office of Senator for the 4th senatorial district of Wisconsin, taken before Samuel Hoyt, on the part of the contestant.

To Committee on Privileges and Elections.

#### RESOLUTIONS INTRODUCED.

By Senator Schuette:

Res. No. 10, S.,

*Resolved*, That so much of the Governor's message as relates to the centennial, be referred to the Committee on Federal Relations.

So much as relates to taxes and appropriations, to the Committee on Legislative Expenditures.

So much as relates to State University and schools, to Committee on Education.



So much as relates to Historical Society, the Geological Survey, the Census and Immigration, to the Committee on State Affairs.

So much as relates to Charitable, Benevolent and Penal Institutions, to the Joint Committee on Charitable and Penal Institutions.

So much as relates to apportionment, to the Joint Committee on Apportionment.

So much as relates to the State canvass, to the Committee on Privileges and Elections.

So much as relates to internal improvements, to the Committee on Internal Improvements.

So much as relates to salaries, to the Committee on Legislative Expenditures.

So much as relates to railroads, to the Committee on Railroads.

So much as relates to the protection of State lands, to the Committee on Public Lands.

So much as relates to the propagation of fish, to the Committee on Agriculture.

*Resolved*, That the several committees are hereby requested to consider the subjects referred to them, and report at an early day by bill or otherwise.

The resolution lies over.

By Senator Hiner :

Res. No. 11, S.,

*Resolved*, That Senators Barron, Bryant and ——— be and are hereby appointed the committee upon the part of the Senate called for in joint-resolution No. 4, Senate, "To consider and report upon the re-apportionment of the State into senate and assembly districts."

The resolution lies over.

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### RESOLUTIONS CONSIDERED.

Res. No. 8, S.,

Requesting the State Treasurer to make a statement showing receipts and disbursements.

Was adopted.

No. 9, S.,

Requesting the board of Railroad Commissioners to direct the land department of the West Wisconsin Railway Company to transmit statement relative to sale of lands.

On motion of Senator Barron,

Was postponed until Thursday, the 20th instant.

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### BILLS INTRODUCED.

Read first and second times and referred.

By Senator Bryant:

No. 11, S.,

A bill to appropriate to the Wisconsin State Agricultural Society a sum of money therein named

To Committee on Agriculture.

By Senator Mitchell:

No. 12, S.,

A bill to facilitate the artificial propagation and preservation of fish, and appropriating a certain sum of money therein named, for that purpose, and to purchase a site for a State hatching-house and the erection thereof.

To Committee on State Affairs.

By Senator Silverthorn:

No. 13 S.,

A bill to lay out and establish a State road from Wausau to Shawano.

To committee on Roads, Bridges and Ferries.

No. 5, A.,

Was taken from the general file, and

On motion of Senator Silverthorn,

The rules were suspended, and the bill was read a third time and concurred in.

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On motion of Senator Schuette,  
The Senate adjourned.

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WEDNESDAY, JANUARY 19, 1876.

10 O'CLOCK, A. M.

The Senate met.

Lieutenant-Governor presiding.

Prayer by Rev. Dr. Wilkinson.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Tate, Treat, Welch, and Wilmot.

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The Chair announced the appointment of Senator R. H. Baker, as the member of the committee on the part of the Senate, under Jt. Res. No. 2, S., to revise the joint rules of the Senate and Assembly.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly respectfully asks for the return of

Jt. Res. No. 4, S.,

To appoint Joint Committee to consider reapportionment of State into Senate and Assembly districts.

For the purpose of further amending the same.  
The resolution was directed to be returned to the Assembly, as requested.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

Mr. PRESIDENT:—I am directed to present you for signature

No. 1, S.,

An act to provide for the appointment of phonographic-reporters for the second county court for Brown county, Wisconsin.

The same having been signed by the Speaker.

Said bill was signed by the President.

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#### MEMORIALS PRESENTED AND REFERRED.

By Senator Hiner:

Mem. No. 3, S.,

Petition of Chas. Rank, Jas. McElroy, Wm. H. Taylor, and 229 others, of Waupun and vicinity, for the repeal of tax exemption laws.

To Committee on State Affairs.

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#### RESOLUTIONS INTRODUCED.

By Senator Barney:

Res. No. 12, S.,

*Resolved*, That the post-office of the Senate Chamber be closed on Sundays except during the hours from 8:30 to 10:30 a. m., and from 2:30 to 3:30 p. m.

The resolution lies over.

By Senator Hiner:

Res. No. 13, S.,

*Resolved*, That the Committee on the Judiciary, on Railroads, on Enrolled Bills, and on Engrossed Bills, are each authorized to employ a clerk during the present session of the Senate.

The resolution lies over.

---

#### RESOLUTIONS CONSIDERED.

No. 10, S.,

Referring the Governor's message to committees, was, on motion of Senator Schuette, amended by inserting between the first paragraph referring to the Committee on Federal Relations, and the second paragraph referring to the Committee on Legislative Expenditures, the following:

"So much as relates to the general and trust-funds, State debt, and estimate of revenue, be referred to the Committee on Finance."

Senator Barron moved to further amend by inserting after the last paragraph, the following:

"So much as relates to the purchase of the late Prof. Lapham's specimens, to the Committee on Education."

The amendment was adopted.

The resolution as thus amended was then adopted.

Res. No. 11, S.,

Introduced on yesterday by Senator Hiner, was amended by filling the blank therein with "Senator Hudd," and,

On motion of Senator Potter,

The further consideration of the resolution was postponed till Tuesday morning next, the 25th.

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### EXECUTIVE COMMUNICATIONS.

STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,  
*MADISON, January 19, 1876.*

*To the honorable the Legislature:*

Pursuant to the provisions of chapter 292, of the laws of 1873, I herewith transmit to your honorable body the report of the progress and result of the geological survey of the State made during the year 1875, under the direction of Dr. O. W. Wight, chief geologist.

HARRISON LUDINGTON,  
*Governor.*

The report was referred to the Committee on State Affairs.

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### COMMUNICATIONS.

The President laid before the Senate the following communications:

STATE OF WISCONSIN, TREASURER'S OFFICE,  
*MADISON, January 19, 1876.*

*To the honorable, the President of the Senate of the State of Wisconsin.*

SIR:—In compliance with a resolution adopted by the honorable, the Senate, on the 18th., inst directing me to furnish statement of the receipts and disbursements of the treasury in the various funds between the 30th day of September, 1875, and the 1st day of January, 1876, and the balances belonging to the different funds on the day last named, I have the honor respectfully to submit herewith

such statement, and also a statement as directed, of the amount of warrants on the treasury issued prior to January 1, 1876, which on that day were still outstanding and unpaid.

Yours, very respectfully,

FERD. KUEHN,  
State Treasurer.

*Receipts in State Treasury from October 1, 1875, to December 31, 1875.*

GENERAL FUND.

|   |                  |
|---|------------------|
| Revenue .....   | \$724 78         |
| Suit tax .....  | 855 70           |
| Railroad tax .....  | 3,042 56         |
| Fire insurance .....  | 2,000 00         |
| Peddlers' licenses .....  | 944 28           |
| Notarial fees .....   | 280 00           |
| Marathon county lands .....   | 510 00           |
| Payments on bank-bonds .....  | 155 00           |
| Sales of books .....  | 15 55            |
| Sales of gun-carriages .....  | 50 00            |
| Interest penalty .....  | 2,583 32         |
| Trespass penalty .....  | 76 47            |
| Refunded by B. J. Bintliff, balance unexpended for support of orphans<br>at normal school ..... | 51 34            |
| Total .....   | <u>11,288 96</u> |

DISBURSEMENTS.

|  |            |
|--|------------|
| Executive office .....                           | \$1,900 00 |
| Secretary's office .....                         | 3,285 00   |
| Treasurer's office .....                         | 2,319 00   |
| Attorney-General's office .....                  | 650 00     |
| State Superintendent's office .....              | 1,375 00   |
| Superintendent of Public Property's office ..... | 800 00     |
| Land department .....                            | 2,886 00   |
| Supreme Court .....                              | 3,897 00   |
| Circuit courts .....                             | 8,250 00   |
| State Historical Society .....                   | 980 00     |
| State Library .....                              | 375 00     |
| Labor about Capitol and park .....               | 6,765 82   |
| Immigration Commissioners .....                  | 625 00     |
| Militia .....                                    | 6,102 29   |
| Geological survey .....                          | 4,056 60   |
| Insane hospital at Madison .....                 | 15,875 00  |
| Insane hospital at Oshkosh .....                 | 37,552 15  |
| Institute for the Blind .....                    | 4,500 00   |
| Institute for the Deaf and Dumb .....            | 8,625 00   |
| Industrial School for Boys .....                 | 11,000 00  |
| Soldiers' Orphans' Home .....                    | 1,875 00   |
| Agricultural societies .....                     | 500 00     |
| Supreme Court reports .....                      | 2,475 00   |
| Postage .....                                    | 1,176 00   |
| Gas .....  | 1,593 52   |
| Fuel .....                                       | 5,178 65   |
| Printing .....                                   | 5,022 01   |
| Publishing and advertising .....                 | 1,897 12   |

|  |                   |
|--|-------------------|
| Protecting State lands.....                        | \$2,953 97        |
| State Board of Charities and Reform.....           | 1,072 49          |
| Scalp bounties.....                                | 669 00            |
| Treasury agent's commission.....                   | 382 87            |
| Governor's contingent-fund.....                    | 905 57            |
| Real-estate returns.....                           | 179 71            |
| Volunteer aid.....                                 | 208 70            |
| Pisciculture.....                                  | 685 00            |
| Revising statutes.....                             | 960 00            |
| Railroad Commissioners.....                        | 2,466 00          |
| Paper.....   | 463 21            |
| Superior harbor protection.....                    | 1,200 00          |
| Fox and Wisconsin river improvement.....           | 160 00            |
| Attorney fees in railroad suits.....               | 519 00            |
| Geodetic survey.....                               | 150 00            |
| Capitol improvements.....                          | 328 95            |
| Interest on Wisconsin bonds.....                   | 30 00             |
| Refunded peddlers' licenses and penalties.....     | 85 05             |
| Census returns.....                                | 79 88             |
| Legislative Manual.....                            | 275 00            |
| Printing for legislature.....                      | 38 35             |
| Newspapers.....                                    | 3 00              |
| Contingent expenses, to-wit:—                      |                   |
| Repairing boilers.....                             | \$2,832 43        |
| Painting Capitol.....                              | 2,063 16          |
| Oils and paints.....                               | 1,884 51          |
| Carpets and oil-cloths.....                        | 1,716 95          |
| Roofing Capitol.....                               | 333 75            |
| Electric supplies and labor.....                   | 479 80            |
| Furniture, gas-fixtures, freight, repairs, &c..... | 2,076 85          |
|  | 10,907 05         |
| E. A. Spencer, settlement of war claims.....       | 1,265 12          |
| Total.....   | <u>167,024 03</u> |

## RECAPITULATION.

|                                   |                   |
|-----------------------------------|-------------------|
| Cash balance October 1, 1875..... | \$1,846 58        |
| Receipts during quarter.....      | 11,288 96         |
| Overdrawn.....                    | 153,868 47        |
| Total.....                        | <u>167,024 03</u> |

*Unpaid Warrants.*

## GENERAL FUND.

|   |           |
|---|-----------|
| Aug. 10. T. Becker, freight on arms.....                | \$ 7 50   |
| Dec. 22. Crawford County agricultural society.....      | 100 00    |
| Kewaunee County agricultural society.....               | 100 00    |
| Dec. 29. F. B. Bolens, printing.....                    | 269 30    |
| Dec. 30. H. Neidecken & Co., paper.....                 | 12 19     |
| Bunker & Vroman, lumber.....                            | 185 58    |
| O. F. Blakeley, assistant supt. of public property..... | 100 00    |
| Do book-keeping for supt. public property.....          | 25 00     |
| B. Higgins, hauling.....                                | 7 00      |
| United States Express Co., express charges.....         | 23 05     |
| Scalp-bounty warrants.....                              | 54 00     |
| Treasurer of University, for university-building.....   | 18,000 00 |

## SCHOOL FUND.

|          |                                |             |            |
|----------|--------------------------------|-------------|------------|
| 1875.    |                                |             |            |
| Oct. 1.  | Balance .....                  | \$32,738 00 |            |
| Dec. 31. | Receipts of quarter.....       | 13,779 84   |            |
|          | Disbursements of quarter.....  |             | \$6,876 48 |
|          | Balance December 31, 1875..... |             | 39,641 86  |
|          | Total .....                    | 46,517 84   | 46,517 84  |

## SCHOOL FUND INCOME.

|          |                                |             |           |
|----------|--------------------------------|-------------|-----------|
| Oct. 1.  | Balance .....                  | \$17,228 77 |           |
| Dec. 31. | Receipts of quarter.....       | 2,854 01    |           |
|          | Disbursements of quarter.....  |             | \$119 43  |
|          | Balance December 31, 1875..... |             | 19,963 35 |
|          | Total .....                    | 20,082 78   | 20,082 78 |

## NORMAL SCHOOL FUND.

|          |                                |             |            |
|----------|--------------------------------|-------------|------------|
| Oct. 1.  | Balance .....                  | \$35,256 53 |            |
| Dec. 31. | Receipts of quarter.....       | 6,613 02    |            |
|          | Disbursements of quarter.....  |             | \$4,849 50 |
|          | Balance December 31, 1875..... |             | 37,520 05  |
|          | Total .....                    | 41,869 55   | 41,869 55  |

## NORMAL SCHOOL FUND INCOME.

|          |                                |             |             |
|----------|--------------------------------|-------------|-------------|
| Oct. 1.  | Balance .....                  | \$40,218 14 |             |
| Dec. 31. | Receipts of quarter.....       | 656 09      |             |
|          | Disbursements of quarter.....  |             | \$33,838 45 |
|          | Balance December 31, 1875..... |             | 7,035 78    |
|          | Total .....                    | 40,874 23   | 40,874 23   |

## DRAINAGE FUND.

|          |                                |             |           |
|----------|--------------------------------|-------------|-----------|
| Oct. 1.  | Balance .....                  | \$11,694 13 |           |
| Dec. 31. | Receipts of quarter.....       | 4,514 61    |           |
|          | Disbursements of quarter.....  |             | \$103 39  |
|          | Balance December 31, 1875..... |             | 16,105 35 |
|          | Total .....                    | 16,208 74   | 16,208 74 |

Due Barron county from drainage fund, \$173.36, unpaid. Warrant dated July 13, 1875.

## UNIVERSITY FUND.

|          |                                |            |            |
|----------|--------------------------------|------------|------------|
| Oct. 1.  | Balance .....                  | \$1,593 34 |            |
| Dec. 31. | Receipts of quarter.....       | 2,573 46   |            |
|          | Disbursements of quarter.....  |            | \$1,690 00 |
|          | Balance December 31, 1875..... |            | 2,476 80   |
|          | Total .....                    | 4,166 80   | 4,166 80   |

## UNIVERSITY FUND INCOME.

|          |                               |          |          |
|----------|-------------------------------|----------|----------|
| Dec. 31. | Receipts of quarter.....      | \$425 00 |          |
|          | Disbursements of quarter..... |          | \$425 00 |
|          | Total .....                   | 425 00   | 425 00   |



## AGRICULTURAL COLLEGE FUND.

|                                   |                 |                 |
|-----------------------------------|-----------------|-----------------|
| Oct. 1. Balance.....              | \$1,918 97      |                 |
| Dec. 31. Receipts of quarter..... | 824 23          |                 |
| Disbursements of quarter.....     |                 | \$1,800 00      |
| Balance December 31, 1875.....    |                 | 943 20          |
| Total.....                        | <u>2,743 20</u> | <u>2,743 20</u> |

## AGRICULTURAL COLLEGE FUND INCOME.

|                                   |               |               |
|-----------------------------------|---------------|---------------|
| Dec. 31. Receipts of quarter..... | \$429 17      |               |
| Disbursements of quarter.....     |               | \$429 17      |
| Total.....                        | <u>429 17</u> | <u>429 17</u> |

## DELINQUENT TAX FUND.

|                                   |                 |                 |
|-----------------------------------|-----------------|-----------------|
| Oct. 1. Balance. . . . .          | \$3,279 45      |                 |
| Dec. 31. Receipts of quarter..... | 8,851 69        |                 |
| Disbursements of quarter.....     |                 | \$3,147 55      |
| Balance December 31, 1875.. . . . |                 | 3,983 59        |
| Total.....                        | <u>7,131 14</u> | <u>7,131 14</u> |

Due Jefferson county from delinquent tax fund \$7.60, unpaid warrant dated October 4, 1875.

## DEPOSIT FUND.

|                                   |                 |                 |
|-----------------------------------|-----------------|-----------------|
| Oct. 1. Balance.....              | \$7,603 74      |                 |
| Dec. 31. Receipts of quarter..... | 1,477 26        |                 |
| Disbursements of quarter.....     |                 | \$125 91        |
| Balance December 31, 1875.... .   |                 | 8,955 09        |
| Total .....                       | <u>9,081 00</u> | <u>9,081 00</u> |

## ST. CROIX &amp; L. S. R. R. CO. TRESPASS FUND.

|                                   |                   |                   |
|-----------------------------------|-------------------|-------------------|
| Oct. 1. Balance.....              | \$102,514 44      |                   |
| Dec. 31. Receipts of quarter..... | 4,987 50          |                   |
| Disbursements of quarter.....     |                   | \$9,417 74        |
| Balance December 31, 1875.....    |                   | 98,084 20         |
| Total .....                       | <u>107,501 94</u> | <u>107,501 94</u> |

## ST. CROIX &amp; L. S. R. R. DEPOSIT FUND.

|  |                  |                  |
|--|------------------|------------------|
| Oct. 1. Balance.....                   | \$15,553 23      |                  |
| Dec. 31. Disbursements of quarter..... |                  | \$3,546 83       |
| Balance December 31, 1875.....         |                  | 12,006 40        |
| Total .....                            | <u>15,553 23</u> | <u>15,553 23</u> |

December 29. Warrant in favor of A. E. Jefferson for \$500; unpaid.

## STURGEON BAY &amp; L. M. SHIP-CANAL LAND TRESPASS FUND.

|                                   |                 |                 |
|-----------------------------------|-----------------|-----------------|
| Dec. 31. Receipts of quarter..... | \$1,193 43      |                 |
| Disbursements of quarter.....     |                 | \$1 192 85      |
| Balance December 31, 1875.....    |                 | 58              |
| Total .....                       | <u>1,193 43</u> | <u>1,193 43</u> |

## NORTH WIS. R. R. AID FUND.

|                      |          |
|----------------------|----------|
| Oct. 1. Balance..... | \$462 58 |
|----------------------|----------|

## GREEN BAY &amp; MINN. R. R. AID FUND.

|  |             |            |
|--|-------------|------------|
| Oct. 1. Balance.....                   | \$ 4,000 00 |            |
| Dec. 31. Disbursements of quarter..... |             | \$4,000 00 |
| Total .....                            | 4,000 00    | 4,000 00   |

## COMMISSIONERS' CONTINGENT FUND.

|                      |         |
|----------------------|---------|
| Oct. 1. Balance..... | \$50 29 |
|----------------------|---------|

## ALLOTMENT FUND.

|                       |            |
|-----------------------|------------|
| Oct. 1. Balance ..... | \$1,723 30 |
|-----------------------|------------|

## RECAPITULATION.

|   |              |
|---|--------------|
| General fund, overpaid.....                             | \$153,898 47 |
| School fund, balance.....                               | 39,641 36    |
| School fund, income, balance....                        | 19,963 35    |
| Normal school fund, balance.....                        | 37,520 05    |
| Normal school fund, income, balance.....                | 7,035 78     |
| Drainage fund, balance.....                             | 16,105 35    |
| University fund, balance.....                           | 2,476 80     |
| Agricultural college fund, balance.....                 | 943 20       |
| Delinquent tax fund, balance.....                       | 8,983 59     |
| Deposit fund, balance.....                              | 8,955 09     |
| St. Croix & L. S. R. R. Co., Tres. fund, balance.....   | 98,084 20    |
| St. Croix & L. S. R. R. Co., deposit fund, balance..... | 12,006 40    |
| North Wisconsin Railroad aid fund, balance.....         | 462 58       |
| Sturgeon Bay & L. M. Ship Canal and Tres. fund.....     | 58           |
| Commissioners' contingent fund.....                     | 50 29        |
| Allotment fund.....                                     | 1,723 30     |
| Balance in treasury, December 31, 1875.....             | 95,063 40    |
| Total .....   | 248,951 87   |

The report was ordered spread upon the journal, and was referred to the Committee on Finance.

*REPORT of the Women's State Centennial Executive Committee of Wisconsin.*

*To the Honorable Legislature of the State:*

The one thousand dollars, (\$1,000.) appropriation of the Legislature of 1875 to the Women's Centennial Executive Committee, have been used—as audited by the committee—in the following manner: Six hundred dollars, (\$600,) were deposited on interest in the State Bank at Madison, in the month of April, 1875, where it still remains.

By the vote of the committee and the local chairmen throughout the State—as announced by published circulars distributed in the month of November, 1875—it is held by the committee as a con-

tribution to the "Women's State Commemorative Work of Art" for the International Exhibition. One hundred dollars, (\$100,) have been sent to Beloit to aid in the execution of the memorial work from that city, for the same purpose. One hundred and seventy-two dollars and fifty-two cents, (\$172.52,) have been used for purposes of State organization, printing, and circulating information throughout the State in reference to the general interests of the women's department of the centennial enterprise. Accounts in detail may be found at the office of W. W. Field, Secretary of State Board of Centennial Managers. One hundred and twenty-seven dollars and forty-eight cents, (\$127.48,) remains in bank to be used at the discretion of the committee for general State work.

All of which is respectfully submitted by the Women's State Centennial Executive Committee.

MRS. J. G. THORP,

*Chairman.*

MISS MARTHA PEET,

*Vice Chairman.*

MRS. PRES. BASCOM,

*Secretary.*

MRS. PROF. KERR,

*Assistant Secretary.*

MRS. JUDGE J. C. HOPKINS,

*Treasurer.*

MISS MINNIE ATWOOD,

*Assistant Treasurer.*

The report was referred to the Committee on Federal Relations.

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#### REPORT OF THE STATE BOARD OF CENTENNIAL MANAGERS.

*To the Honorable, the Senate and Assembly of the State of Wisconsin:*

In accordance with the provisions of chapter 167, of the general laws of 1875, a State Board of Centennial Managers was created, consisting of Hon. David Atwood, United States Centennial Commissioner, and E. D. Holton, alternate commissioner, who were members ex-officio, and five members appointed by the Governor, as follows:

Prof. J. B. Parkinson, Eli Stilson, Esq., Col. E. A. Calkins,\* Hon. J. I. Case, and Hon. Thad. C. Pound.

The State board thus created met in the State Agricultural Rooms in the capitol on the first Wednesday, being the 7th day of April, 1875, as provided by law, and organized by the election of J. B. Parkinson, president, and W. W. Field, secretary.

By virtue of the law referred to the board issued the following

---

\*Col. Calkins resigned May 4, 1875, and Adolph Meinecke, of Milwaukee, was appointed in his place.

circular letter and classification of the material interests of the State:

STATE BOARD OF CENTENNIAL MANAGERS.

*Circular and Classification.*

The propriety of having the vast natural resources of Wisconsin, with her varied agricultural products, manufactured articles and fruits of other industries, properly presented at the International Exhibition at Philadelphia, in 1876, can hardly be questioned. The magnitude of the labor necessary to collect these various samples, and put them into presentable shape, leads one to the inquiry: How can it best be done?

The State Board of Managers, having had the matter under careful consideration, has adopted a plan, and earnestly solicits the aid of our people in carrying it out.

The Director-General of the United States Centennial Commission has given notice that the work is so far advanced that he is now ready to receive applications for space, and blanks for this purpose have been issued, accompanied with specific directions as to how they are to be filled, and how space may be obtained. These blanks can be had by applying to W. W. Field, of Madison, Secretary of the board. Goods should be ready for shipment by the first of January, 1876. The classification is wide enough in its range to embrace everything that contributes to the welfare of our race, religiously, socially, mentally, morally, and physically.

The State board has made a classification of the various interests of Wisconsin, which, it is thought, will include all that it is desirable to have represented; and would solicit the aid of experts in the several specialties, in procuring samples and in preparing them for exhibition. A sub-committee of one or more will be designated to take charge of each class, as fast as suitable persons can be found who will assume the labor imposed. All questions pertaining to each specialty will be referred to the committee who has it in charge, the State board retaining a general supervisory control over all the collections. The sub-committees will also be required to report progress, from time to time, to the State-board, and each committee will be expected to have the articles included in its specialty, prepared for shipment at the place to be designated by the board, and by the first of January, 1876.

The classes or groups will be known [and designated by numbers, as follows:

1. Geological strata of the State.
2. Rock, stone, and slate.
3. The various soils, with analyses.
4. Sands, gravel, gypsum, ochres, &c.
5. Minerals, producing metals.
6. Minerals, not producing metals, as coal, peat, &c.
7. Vegetables for man or beast.
8. Fruits.

9. Grains, seeds, and grasses.
10. Animals, domesticated and others.
11. Ornithological specimens, especially of domesticated fowls.
12. Entomological specimens.
13. Conchology of the State.
14. Fishes and water animals.
15. Wood-producing plants, with cross-section of each kind of tree above six inches in diameter.
16. Agricultural machinery and implements.
17. Other mechanical products—of wood.
18. Other mechanical products—of iron.
19. Ship-building.
20. Special manufactures, including beers, wines, and spirits, with statistics relative to the manufacture of the same.
21. Tobacco-samples, with statistics relative to manufacture.
22. Domestic fabrics, manufactured by hand.
23. Fabrics manufactured by machinery.
24. Leather and fabrics of leather.
25. Fancy and ornamental handiwork.
26. Plastic and graphic arts.
27. Dairy products.
28. Architectural drafts, penmanship, &c.
29. Newspaper and book publications.
30. Photographs of Wisconsin scenery and Wisconsin men and women.
31. Wisconsin patents and useful inventions.
32. Railroad system—extent of road and management.
33. Navigable waters and commerce on same.
34. Water powers, natural and developed.
35. Territorial and State history, showing organization, progress, &c.
36. Schools, colleges, &c., including succinct history and statistics of the educational system of the State.
37. Benevolent, Charitable, and Penal Institutions.
38. Church History, including statistics of all religious denominations in the State.
39. Immigration—Social and vital statistics of—means of promoting.
40. Professional Associations.
41. Scientific Associations.
42. Social, Moral, and Benevolent Associations.
43. Banking and Insurance.

J. B. PARKINSON,  
*President.*  
W. W. FIELD,  
*Secretary.*

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Suitable persons were selected and commissioned by the board as sub-committees upon most of the classes or groups mentioned in

the above classification, to take charge of, and report upon the particular specially assigned to each.

Some of the sub-committees have been quite efficient in the discharge of these duties, while others have done but little, as their time has been fully occupied with private and public matters. This work has been entirely gratuitous, stimulated only by patriotism, by State and National pride, as the board has not had funds at its disposal to warrant a promise of compensation for such service. The board had partially made arrangements with the late Professor I. A. Lapham to exhibit his large and valuable collection of minerals, representing in part classes one to six inclusive. Since the death of the professor the board has contracted with his son, S. G. Lapham, Esq., to arrange said collection for exhibition, on condition that the State place at its disposal funds to enable it to do so.

The act creating this board appropriated the sum of two thousand dollars for necessary preliminary expenses in preparing to exhibit our varied products, and to display in a fitting manner our vast resources and material interests at the Centennial Exposition. A portion of this money has been expended as follows:

|  |                 |
|--|-----------------|
| Expense account of members of the board.....               | \$280 40        |
| Printing, stationery, postage-stamps, and incidentals..... | 90 15           |
| Services in arranging collection of minerals.....          | 208 40          |
| Services of secretary.....                                 | 200 00          |
| Total.....   | <u>778 95</u>   |
| Balance unexpended.....                                    | <u>1,221 05</u> |

Vouchers for each item may be found in the office of the Secretary of State. The small appropriation has not been sufficient to enable the board to make its plans as broad and comprehensive as the interests of the State and the occasion seem to require, and yet with the foundation it has laid, and in view of the desire now manifested by the people to have Wisconsin creditably represented with other northwestern States, if a liberal appropriation is made, at an early day, it doubts not its ability, with the substantial aid our patriotic citizens will afford, to make a grand exhibit, one worthy of our young and prosperous State. His excellency Governor Ludington has very wisely, the board think, called your attention to this important Centennial Exhibition in these words:

"You will recognize the importance of providing for the adequate representation of Wisconsin at the Centennial Exposition, which is to take place at Philadelphia during the present year, both as a matter of State pride and for more substantial considerations. The occasion will afford an excellent opportunity to display the resources and products of the State, and to attract hither capital and immigration. Nearly all of the States have appropriated liberal sums for the purpose, and Wisconsin should be creditably represented or not at all. I submit to your generosity and patriotism to appropriate such an amount as shall seem to you to be sufficient, to be placed in the hands of the State Board of Centennial

Managers, leaving it to them to determine how it shall be expended."

The members of the board unanimously ask you to appropriate and place at their disposal, under such restrictions as you think advisable, the sum of thirty thousand dollars for State centennial purposes.

They believe the advantages resulting to the State in the next decade by a full and complete exhibit of our soils, mines, and manufactures, with condensed statements of our natural resources, our social, educational, and religious advantages, and all other material interests, will many fold repay us for this generous outlay, and beside, we shall feel a State pride in knowing that we have discharged our duty as one of the States of this great nation in contributing what we could to make the Centennial anniversary redound to the highest good, not only of our own country, but of the world.

J. B. PARKINSON,  
*President of Board.*

ELI STILSON,  
ADOLPH MEINECKE,  
J. I. CASE,  
THAD. C. POUND,  
DAVID ATWOOD,

*U. S. Commissioner,  
and Ex-officio Member of Board.*

W. W. FIELD,  
*Secretary of the Board.*

The report was referred to the Committee on Federal Relations.

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### REPORTS OF COMMITTEES.

The Committee on Enrolled Bills have carefully examined, and report correctly enrolled, the following:

No. 1, S.,

A bill to provide for the appointment of phonographic reporters for the second county court for Brown county.

R. J. FLINT,  
*Chairman.*

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### BILLS INTRODUCED.

Read first and second times and referred.

By Senator Potter:

M. C., No. 2, S.,

Memorial to Congress for increased mail facilities in the counties of Green Lake and Waushara.

To Committee on Federal Relations.

By Senator Flint:

M. C., No. 3, S.,

Requesting an investigation to be made into the right of George W. Cate, to occupy a seat as member of Congress for the 8th district of Wisconsin.

To Committee on Federal Relations.

By Senator Barron:

No. 14, S.,

A bill to amend section 1, of chapter 306, of the general laws of 1875, entitled "an act to transfer the Soldiers' Orphans'-Home to the custody of the regents of the State University."

To committee on Education.

By Senator Rounds:

No. 15, S.,

A bill making an appropriation to the Northwestern Wisconsin Agricultural and Mechanical Association.

To Committee on Agriculture.

By Senator Reed:

No. 16, S.,

A bill to appropriate a sum of money therein named for the use of the Institute for Education of the Blind, for the payment of current expenses.

To Committee on Charitable and Penal Institutions.

By Senator Reed:

No. 17, S.,

A bill to appropriate a sum of money therein named, for the use of the Institute for the Education of the Deaf and Dumb, for the payment of current expenses for the year ending March 1, 1877, and for permanent improvements.

To Committee on Charitable and Penal Institutions.

By Senator Reed:

No. 18, S.,

A bill to appropriate a sum of money therein named for the use of the Wisconsin Hospital for the Insane for the payment of current expenses, for repairs, and improvements, and deficiency.

To Committee on Charitable and Penal Institutions.

By Senator Reed:

No. 19, S.,

A bill to appropriate a sum of money therein named for the use of the Industrial School for Boys, for the payment of current expenses, to pay indebtedness, and to complete barn.

To Committee on Charitable and Penal Institutions.

By Senator Reed:

No. 20, S.,

A bill to appropriate a sum of money therein named for the use of the Northern Hospital for the Insane, for the payment of current expenses and for improvements.

To Committee on Charitable and Penal Institutions.



By Senator Tate:

No. 21, S.,

A bill authorizing the circuit court of the 6th judicial circuit to admit Archie M. Stevenson to act as an attorney in the circuit courts of this State.

To Committee on Judiciary.

By Senator Scott:

No. 22, S.,

A bill to repeal chapter 43, general laws of 1875, entitled "an act to amend section 65, of chapter 18, of the revised statutes, entitled 'of the assessment and collection of taxes.'"

To Committee on Judiciary.

By Senator Scott:

No. 23, S.,

A bill to amend chapter 289, of the general laws of 1873, entitled "an act to authorize municipal corporations to aid in the construction of railroads."

To Committee on Railroads.

By Senator Farr:

No. 24, S.,

A bill to repeal section 8, of chapter 341, of the laws of 1874, entitled "an act in relation to railroads."

To Committee on Railroads.

By Senator Blair:

No. 25, S.,

A bill constituting the clerk of the circuit court of the county of Waukesha *ex-officio* clerk of the county court.

To Committee on Judiciary.

By Senator Reed:

No. 26, S.,

A bill to amend chapter 111, of the revised statutes, entitled of divorce.

To Committee on Judiciary.

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### LEAVES OF ABSENCE.

Leaves of absence were granted,

To Senator Potter until Monday evening.

To Senator Douglas until Saturday morning.

To Senator Blair until Monday evening.

To Senator Silverthorn until to-morrow morning.

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On Motion of Senator Reed,  
The Senate adjourned.

THURSDAY, JANUARY 20, 1876,

10 O'CLOCK A. M.

The Senate met,  
The Lieutenant Governor presiding.  
Prayer by the Rev. Mr. Wilkinson.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, McFarland, Mitchell, Nevins, Reed, Rounds, Ryan, Schuette, Scott, Tate, Treat, Welch, and Wilmot.

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#### MEMORIALS PRESENTED AND REFERRED.

By Senator R. E. Davis:

Mem. No. 4, S.,

Memorial of S. D. Carpenter and others in reference to sinking fund.

#### MEMORIAL.

*To the Honorable, the Legislature of Wisconsin:*

The undersigned, a citizen of Wisconsin, ventures to memorialize your honorable body on a subject, vital to every citizen of the realm, and the reason why your memorialist presents his supplications to the Honorable Legislature, instead of the Congress of the United States, which is the proper body to grant the relief the people need, is, that your memorialist is but an unpretending individual, unannounced by the national trumpet of fame, and while he doubts not his petition would be respectfully received by the national Congress, yet, in the multitude of like prayers, it would probably gravitate to the pigeon-holes of oblivion, because your memorialist has no fame to enforce his views on the attention of strangers, to him personally, and for aught he knows unwilling minds. He therefore re-

spectfully, yet earnestly asks your honorable body, to unite in examining the suggestions he has to submit, and the high and honorable historical events by which they are backed, and if in your deliberative opinion they be found worthy, that you will add the force of legislative approval, by memorializing Congress to adopt the plan proposed, or a better one, if in your wisdom such may be found, to relieve the people from the pall of financial embarrassment that hangs over them, crippling every branch of productive industry, and shaking the very foundations of trade and commerce. Your memorialist need not stop to prove that which is patent to all, that our currency and finances are in a state of dilapidation, owing in a great degree to our vast public debt, and are likely to continue thus, so long as we are the debtor nation, and cannot control a metallic currency, even if we had it.

Like England, during her war struggles with continental Europe, from 1784 to 1821, and France, during her recent terrible and costly conflict with Prussia, we must use a vast volume of paper currency, submitting to great and constant sacrifices to obtain coin to pay interest and to meet the "balance" of trade, &c.

Under this state of things, inseparable upon the closing out of a most expensive war, your memorialist believes with a great many of our wisest financial experts, that it would be a national calamity to continue the funding of our non-interest bearing debt, and that both wisdom and prudence dictate we should contract the debt as much as possible without expanding the currency beyond the limits of want, and to provide a sinking-fund ample to clear off the entire interest-debt in, say 27 years; meanwhile retiring the national currency—taking up, and stopping interest on the \$400,000,000 of bonds, of securities for said notes, or an equal amount, by issuing inter-convertible legal tenders to the amount, and no more, of the national notes retired, and paying the balance from surplus revenues. This will leave the paper-circulation as it is now, without "inflation," while, since we must have a paper-currency, it should be admitted our legal tenders, owned *by* the people, and *to* the people, would be at least as good as the best national currency, saving twenty-four millions of gold-interest annually.

It has been announced in congress that from the maritime, war and civil lists, fifty millions of dollars may be saved per annum, without detriment to the Public Service, of which your memorialist has not the slightest doubt "in law or equity," and even that amount may be doubled on the other side of the ledger, if all the "crooked" whisky and other "crooked" "ways that are dark" can be made straight in the general scrimmage for the succession. But, at any rate, it seems to be conceded that seventy-four millions might be saved, as above stated, so that the government might spare \$50,000,000 annually, and then cut down the general budget of expenses \$24,000,000.

Now, it occurs to your memorialist, that this surplus or saving of \$50,000,000 annually might be utilized to pay off the remaining interest bearing debt in say 27 years, leaving a sinking fund of over \$2,293,000,000, which at three per cent. compound interest, or

simple interest payable semi-annually, after the usual custom of bank discounts, would be sufficient not only to meet all the legitimate expenses of the government for all time, without any direct or indirect taxation whatever, but would yield an annual surplus over all expenses of \$30,000,000, which by the cumulative process of compound interest must soon create a fund to meet any war emergency likely to occur.

In the opinion of your memorialist the loaning by the Government of such vast sums annually, at a rate of interest below the common usage, would have a tendency to reduce the rate in this country, and thus indirectly benefit the people almost, if not quite equal to the extinction of the debt itself. It is stated that the whole volume of private, public, and associate debts amount to ten billions, of dollars, and as interest is a part of the debts, and a very large factor at that, the general reduction of one per cent. would aggregate a saving to the debtor classes of \$100,000,000, per annum, and the reduction of four per cent. would be correspondingly advantageous. Your memorialist believes the high rates of interest are the bane of our financial system, and yet no faith can be placed in usury laws as a remedy. The only panacea, in the opinion of the undersigned is *competition* on a large scale, and on this is hinged one of the main reasons for adopting the geometric sinking fund system.

In view of these facts, and in view of the lamentable tendency to fund all our non-interest-bearing debt, thus increasing the annual gold interest burdens of the people, by \$26,532,947.87, instead of decreasing them by \$24,000,000, making a difference in gold interest of \$50,532,947.87, and increasing the premium on gold as the demand increases, would it not be an act of wisdom and statesmanship to let the non-interest bearing debt remain where it is, useful as a needed currency and means of exchange, and to apply \$50,000,000, annually of the savings, admitted possible, to a sinking fund, which if kept sacred from vandal spoliation, would in the not distant future, pay every obligation, and leave our nation a prodigy of financial soundness?

What more befitting act to commemorate our first centennial, than to plant the seed that shall emancipate us, in its maturity, from the incubus of a monstrous debt, that like a cancer, preys upon every interest?

The following table will show the cumulative power of \$50,000,000, at the start adding fifty millions annually, at six per cent. interest payable semi-annually, and reloaned the same as the principal.

| Year.   | Principal and interest. | Year.      | Principal and interest. |
|---|-------------------------|------------|-------------------------|
| 1876.....   | \$50,000,000            | 1890.....  | \$1,110,451,826         |
| 1877.....   | 53,045,000              | 1891.....  | 1,231,123,343           |
| 1878.....   | 109,321,441             | 1892.....  | 1,359,143,754           |
| 1879.....   | 168,920,056             | 1893.....  | 1,494,960,609           |
| 1880.....   | 226,072,289             | 1894.....  | 1,639,048,710           |
| 1881.....   | 292,885,091             | 1895.....  | 1,791,911,776           |
| 1882.....   | 362,766,793             | 1896.....  | 1,964,384,204           |
| 1883.....   | 438,965,091             | 1897.....  | 2,137,060,202           |
| 1884.....   | 518,743,171             | 1898.....  | 2,320,252,168           |
| 1885.....   | 603,381,630             | 1899.....  | 2,514,600,526           |
| 1886.....   | 673,172,571             | 1900.....  | 2,720,784,698           |
| 1887.....   | 788,431,780             | 1901.....  | 2,939,525,486           |
| 1888.....   | 889,492,275             | 1902.....  | 3,171,587,588           |
| 1889.....   | 996,707,357             | 1903*..... | 3,417,782,272           |
| At this point all custom houses, revenue cutters, &c., might be sold, and the proceeds (estimated at \$200,000,000) added . . . |                         |            | 200,000,000             |
| Total in sinking-fund, A. D. 1902.....  |                         |            | 3,671,782,272           |

|   |                 |
|---|-----------------|
| The total public debt by the last treasury statement, Jan. 3d inst., was..... | \$2,207,129,925 |
| Non-interest debt.....  | \$482,417,234   |
| Take up interest debt.....  | 400,000,000     |
|   | 882,417,234     |

Total remaining interest-bearing debt..... 1,324,712,691

The interest on this at an average of  $5\frac{1}{2}$  per cent., will annually amount to \$72,859,198, instead of \$94,859,198, as at present, (average of  $5\frac{1}{2}$  per cent.) though the interest reported paid in 1874, was \$108,000,000. The budget of expenses for all purposes for the year 1875, amounted to \$274,000,000, in round numbers.

The saving of \$50,000,000 on current expenses, and \$24,000,000 on interest, will provide for the annual contribution of \$50,000,000 to the sinking fund, and also reduce the annual expenses by \$24,000,000, or to \$250,000,000, showing that the people will have to pay (without regard to considerable deductions on account of decreasing pensions) for the 27 years in which the sinking fund is at work, an aggregate of \$6,750,000,000, whereas, if the expenses be not reduced, nor the 200 millions of bonds taken up, and the annual budget is allowed to remain as it is, without check, the people would have to pay in the 27 years the enormous sum of \$7,398,000,000. In the former case the interest debt is paid off and over two billions in the sinking fund, and in the latter case not a dollar of debt would be paid, and not a shilling in a sinking fund.

The financial problem that less *cost* brings more *assets*, and more *cost* brings less *assets*, is herein seen exemplified.

Nor can the problem be disposed of by the outcry of "sophistry," and "Utopian theories," that "look well on paper, but never did, nor ever can, work in practice," &c.

Your memorialist is no plagiarist, and hence it is due to state

\* At same rate, up to the year 1917, or 40 years, the sum would reach over 8 billions.

that he claims no originality in the conception of the sinking fund herein set forth. History claims the plan, and history has demonstrated its success. Its author was one of the most celebrated statesmen and financiers known to any age. Your memorialist alludes to the right Honorable Wm. Pitt, Chancellor of the British Exchequer, seconded by these great historical lights: Fox, Sheridan and Burke, and the era of its trial extended from 1787 to 1831. The only difference between Mr. Pitt's plan of a sinking fund and that suggested above, consists in the difference of annual contributions, and interest. Mr. Pitt's fund commenced with a little over \$3,000,000, at 4 per cent. *annual* instead of semi-annual compounding, yet, considering the times and the relative purchasing value of money, and the fact that England was almost constantly engaged in her continental and colonial wars, the disparity in value is not so much as might appear.

Your memorialist, for the purpose of showing your honorable bodies what was actually accomplished under Mr. Pitt's sinking fund, and what it would have accomplished had it not been destroyed by Vandal hands, reproduces herewith the table presented by Mr. Allison in his History of England, vol. 2, p. 391, and also briefly the remarks of Mr. Pitt in presenting his plan to Parliament, as also some of the comments of the historian on the merits and success of the measure, and his denunciation of the "demagogues that destroyed the fund."

*Table showing the amount of public stock reduced under Mr. Pitt's funding plan, in pounds sterling, from 1774 to 1875, inclusive.*

| Year.     | Stock reduced. | Year.                  | Stock reduced.  |
|-----------|----------------|------------------------|-----------------|
| 1787..... | £662,000       | 1811.....              | £17,884,234     |
| 1788..... | 1,503,000      | 1812.....              | 20,733,354      |
| 1789..... | 1,506,000      | 1813.....              | 24,246,059      |
| 1790..... | 1,558,000      | 1814.....              | 27,522,230      |
| 1791..... | 1,587,500      | 1815.....              | 22,599,653      |
| 1792..... | 1,507,100      | 1816.....              | 24,001,083      |
| 1793..... | 1,962,650      | 1817.....              | 23,117,541      |
| 1794..... | 2,174,405      | 1818.....              | 19,460,982      |
| 1795..... | 2,804,945      | 1819.....              | 19,648,469      |
| 1796..... | 3,083,455      | 1820.....              | 13,191,702      |
| 1797..... | 4,390,670      | 1821.....              | 24,518,885      |
| 1798..... | 6,790,023      | 1822.....              | 23,605,931      |
| 1799..... | 8,102,875      | 1823.....              | 17,966,680      |
| 1800..... | 9,550,094      | 1824.....              | 4,828,530       |
| 1801..... | 10,713,168     | 1825.....              | 10,583,732      |
| 1802..... | 10,491,325     | 1826.....              | 3,313,834       |
| 1803..... | 9,436,389      | 1827.....              | 2,881,528       |
| 1804..... | 13,181,667     | 1828.....              | 7,281,414       |
| 1805..... | 12,860,629     | 1829.....              | 6,035,414       |
| 1806..... | 13,759,607     | 1830.....              | 6,425,465       |
| 1807..... | 15,341,799     | 1831.....              | 3,304,729       |
| 1808..... | 16,064,962     |                        |                 |
| 1809..... | 16,181,689     | Total in £ sterling.   | £522,030,044    |
| 1810..... | 16,656,643     | Total in dollars . . . | \$2,610,150,220 |

For the following quotations your honorable bodies are referred to vol. 2, Allison's History of Europe, pages 386, 387, 390. After setting forth the fluctuations of revenue under the administration of the Tudors, the Stewarts, &c., Mr. Allison remarks, (p. 386.)

"It is unnecessary to follow the successive steps by which both the public revenue and the national debt of Great Britain were increased after this period; suffice it to say that both were largely augmented during the glorious war of the succession; that the long and pacific administration which followed affected no sensible reduction in their amount; that the chequered contest of 1739, and the more triumphant campaigns of the seven year's war contributed equally to their increase, and that the disasters of the American struggle were attended by so great an augmentation of the national burdens, that at its termination, in 1783, in the opinion both of Mr. Hume and Adam Smith, they must inevitably prove fatal in the end to the independence of the nation. At the close of the last contest the public revenue was £12,000,000, and the debt £240,000,000, the interest of which absorbed no less than £9,319,000 of the annual income of the State. The loans contracted during the less unfortunate contest, having been no less than £100,000,000.

"It was at this period that Mr. Pitt came into office on the resignation of Mr. Fox and the coalition ministry. His ardent and sagacious mind was immediately turned to the consideration of the finances and the means of extricating the nation from the embarrassments, to ordinary observers inextricable, in which it had been involved by the improvident expenditure of preceding years. It was evident from a retrospect of history, that *no sensible impression had been made on the debt by any efforts of preceding times*, that though a sinking fund had long existed in name, yet its operations had been very inconsiderable, and that all the economy of the long periods of peace which had intervened since the revolution, had done little more than discharge a tenth of the burdens contracted in the previous years of hostility. The interest of the debt absorbed now more than two-thirds of the public revenue. It was impossible to conceal that such a state of things was in the highest degree alarming, not only as affording no reasonable prospect that the existing engagements could ever be liquidated, but as threatening at no distant period to render it impossible for the nation to make those efforts which its honor or independence might require. It was easy to foresee that in the course of events wars and changes would arise which would render it indispensable for the government to assume a menacing attitude, and possibly engage in a long course of hostilities, but how could any administration venture to assume the one or the people bear the other, if an immense load of debt hung about their necks, absorbing alike, by its interest, their present revenues and paralyzing by its magnitude the credit by which their resources might be increased, on any unforeseen emergency.

"These dangers took strong possession of the mind of Mr. Pitt; but, instead of sinking in despair under the difficulties of the sub-

ject, he applied the energies of his understanding with the greater vigor to overcome them. Nor was it long before he perceived by what means this great object could, *with ease and certainty*, be effected. The public attention at this period had been strongly directed to the prodigious powers of the accumulation of money at compound interest, and Dr. Price had demonstrated with mathematical certainty, that any sum, however small, increasing at that ratio, would, in a given time, extinguish any debt, however great. [A foot note states that "a penny laid out at compound interest at the birth of our Savior would, in the year 1775, have amounted to a solid mass of gold eighteen hundred times the whole weight of the globe.""]

"Mr. Pitt, with the instinctive sagacity of genius, laid hold of this simple law to establish a machine by which the vast debt of England might, without difficulty, be discharged. All former sinking funds had failed of producing great effects, because they were directed to the *annual* discharge of a certain portion of the debt; not the formation, by compound interest, of a fund destined to its future and progressive liquidation. They advanced, therefore, by *addition*, not *multiplication*; in arithmetical, not geometrical progression, Mr. Pitt saw the evil, and not merely applied a remedy, but *more than a remedy*. He not only seized the battery, but turned it against the enemy. The wonderful powers of compound interest; the vast lever of geometrical progression, so long and sorely felt by debtors, were now to be applied to creditors, and inverting the process hitherto experienced among mankind, the swift growth of the gangrene was to be turned from the corruption of the sound to the eradication of the diseased part of the system. Another addition, like the discovery of gravitation, the press and the steam engine, to the many illustrations which history affords of the lasting truth that the greatest changes, both in the social and material world, are governed by the same laws as the smallest; and that is by the felicitous application of familiar principles to new and important objects, that the greatest and most salutary discoveries in human affairs are affected.

Mr. Pitt's mind was strongly impressed with the incalculable importance of this subject; one before which all wars or subjects of present interests, excepting only the preservation of the constitution, sunk into insignificance. From the time of his accession to office, in 1784, his attention had been constantly united to the subject, and he repeatedly expressed in the most energetic language, his sense of its overwhelming magnitude. "Upon the deliberation of this day," said he, in bringing forward his resolutions, on the subject, on the 29th of March, 1786, "the people of England place all their hopes of a full return of prosperity, and a revival of its public security, which will give vigor and confidence to those commercial exertions on which the flourishing state of the country depends; yet, not only the public and this House, but other nations are intent upon it, for upon its deliberations, by the success or failure of what is now proposed, our rank will be decided among the powers of Europe. To behold this country, when just emerging from a most



unfortunate war, which had added such an accumulation to sums before immense, that it was the belief of surrounding nations, and of many among ourselves that we must sink under it—to behold this nation, not despairing at its alarming condition, looking boldly its situation in the face, and establishing upon a spirited and permanent plan the means of relieving itself, from all its incumbrances, must give such an idea of our resources as will astonish the nations around us, and enable us to regain that prominence to which, on many accounts, we are so justly entitled.

“The propriety, and even necessity of adopting a plan for this purpose, is now universally allowed, and it is also admitted that immediate steps ought to be taken on the subject. It is well known how strongly my feelings have been engaged, not only by the duties of my situation, but the consideration of my own personal reputation, which is deeply committed in the question, to exert every nerve—to arm every vigilance—to concentrate my efforts towards that great object, by which alone we can have a prospect of transmitting to posterity that which we ourselves have felt the want of, an efficient sinking-fund for the national debt. To accomplish this is the first wish of my heart, and it would be my proudest hope to have my name inscribed on a pillar to be erected in honor of the man who did his country the essential service of reducing the national debt,

“In pursuance of these designs, Mr. Pitt proposed that a million yearly—composed part of savings effected in various branches of the public service, to the amount of £900,000, and partly of new taxes, to the amount of £100,000—should be granted to his Majesty, to be vested in commissioners chosen from the highest functionaries in the realm; that the payments to them should be made quarterly; and that the whole sum thus drawn should be by them vested in the purchase of stocks, to stand in the name of the commissioners, the dividends on which were to be periodically applied to the farther purchase of stock, to stand, and to have its dividends invested in the same manner. In this way, by setting apart a million annually, and religiously applying its interest to the purchase of stock, the success of the plan was secured; because the future accumulations would spring, *not from any additional burdens imposed on the people*, but the dividends on the stock thus bought up from individuals, and vested in the public trustees.

“The powers of compound interest were thus brought round from the side of the creditor to that of the debtor—from the fund-holders to the nation, and the national debt was eaten in upon by an accumulating fund, which, increasing in a geometrical progression, would to a *certainly*, at no distant period, effect its total extinction. “If this million,” said Mr. Pitt, “is to be so applied, is to be laid out with its growing interest, it will amount to a very great sum in a period that is not very long, in the life of an individual, and but an hour in the existence of a great nation. And this will diminish the debt of this country so much as to prevent the exigencies of war from raising it to the enormous height it has hitherto done. In the period of twenty-eight years the sum of

a million annually improved would amount to four millions per annum, but care must be taken that this sum be not broken in upon. This has hitherto been the bane of this country, for if the original sinking fund had been properly preserved, it can easily be proved that our debts at this moment would not have been very burdensome, but this hitherto has been found impracticable because the minister has uniformly, when it suited his convenience, gotten hold of this sum, which ought to have been regarded as most sacred. To prevent this, I propose that this sum be vested in certain dignified commissioners, to be by them applied quarterly to buy up stock, by which means no considerable sum will ever be open to spoilation, and the fund will go on without interruption.

"Long, and very long, has the country struggled under its heavy load without any prospects of being relieved, but it may now look forward to the object upon which the existence of the country depends. A minister could never have the confidence to come down to the House and propose the repeal of so beneficial a law, and one so directly tending to relieve the people from their burdens. The essence of the plan consists in the fund being invariably applied in diminution of the debt. It must forever be kept sacred, and especially so in time of war. To suffer the fund at any time, or under any pretense, to be diverted from its proper object, would be to ruin, defeat and overthrow the whole plan. \* \* \* \* \*

"Attacks on the sinking fund," says Mr. Allison, (P 390), "were rapidly diffused and generally credited—the delusion of Mr. Pitt's system—the juggle so long practiced on the nation, were in every mouth. The meanest political quacks—the most despicable popular demagogues—ventured to discharged their javelins at the giants of former days, and a system on which the greatest and best of men in the last age had been united, in commendation of which Mr. Fox had vied with Pitt, and Sheridan with Burke—was universally denounced as the most complete and ruinous deception that ever had been palmed off by official fraud on the credulity of mankind.

"Had the doctrines been confined to the declamations of the hustings, or the abuse of newspapers, they would have furnished the subject only of curious speculation, on the way in which principles just to a certain extent, and truths undeniable, as they were originally stated, became perverted when they were employed as an engine for the purposes of faction or ambition, but unhappily the evil soon assumed a much more serious complexion, the prevailing idea spread to the legislature, and the statesmen who succeeded to the Government, imbued partly with the declamation of the period, influenced partly by the desire of *gaining a temporary popularity* [does not this hit our times as well as that of the last century?] by the reduction of the public burdens, without any regard to the interest of future times, went on borrowing or abstracting from the sinking fund till it was totally extinguished during the great convulsion of 1832."

On page 392, Mr. Allison makes this declaration:

Not a shadow of doubt can now remain that Mr. Pitt's and Mr. Addington's anticipations were well founded, and that if the sys-

tem had been adhered to, since the peace, the whole national debt would have been discharged by the year 1843.

In a foot note on page 388, Mr. Allison produces a table showing that £200,000, at five per cent. the tenth year would amount to £2,500,105, and a table on page 393, shows the progressive growth of a sinking fund of £15,000,000, and that in twenty years it would amount to £534,127,430.

So much for the facts and the arguments of history, as monuments erected by the wisdom of the great men of the past.

|   |                      |
|---|----------------------|
| The sinking fund suggested by your memorialist, if sacredly kept intact, and its annual accretions by appropriation kept up, would in 27 years amount to the enormous sum of..... | \$3,417,782,272      |
| Costing the people but \$1,350,000,000.   |                      |
| Add proceeds of custom-house, &c. at.....   | 200,000,000          |
| <b>Total sinking fund .....</b>   | <b>3,617,782,272</b> |
| Deduct interest bearing debt.....   | 1,324,712,691        |
| <b>Leaving a sinking fund of.....</b>   | <b>2,293,069,581</b> |
| The annual interest on the same at three per cent. amounts to nearly .....  | \$73,000,000         |
| Add receipts from miscellaneous sources, that is not taxation.....  | 10,000,000           |
| <b>And it will give an annual income of.....</b>  | <b>83,000,000</b>    |

The expenses per annum computed for the 27 years, after deducting \$24,000,000 as interest on bonds taken up (400,000,000) as already stated was \$250,000,000, devoting \$50,000,000 to sinking fund. The reduction to be made at the end of the 27 years, (and much of it before that time,) may be expressed as follows:

|   |                    |
|---|--------------------|
| On account of interest .....  | \$72,859,198       |
| On account of collection of the revenue, building, repairs, &c., of Custom Houses, Revenue Cutters, &c..... | 30,000,000         |
| On account of pensions, est .....   | 20,000,000         |
| On account of army and civil list, &c.....  | 50,000,000         |
| On account of discharge of an army of officer's salaries and other expenses .....                           | 25,000,000         |
| <b>Reductions that might be made .....</b>  | <b>197,000,000</b> |

This would leave for the actual expenses of government, on the scale of primitive economy, with no taxes to collect, no interest to pay—pensions nearly exhausted by the scythe of time, only \$53,000,000, which [is about \$9,000,000 less than under Mr. Buchanan, and which deducting from the \$83,000,000 revenue, leaves annually \$30,000,000 to go on at compound interest for the benefit of National improvements, and to help the finances in case of war, &c.

Such is the plan suggested by your memorialist, to prospectively lift the burdens of a mountainous debt off the shoulders of a tax-ridden people, and your memorialist asks the Honorable the Legislature to memorialize Congress to at once take steps to inaugurate

the sinking fund proposed (or a better if the wisdom of the legislature shall discover it) all of which may, in the opinion of your memorialist, be accomplished without increasing the burdens of taxation a dollar, and without repudiating a shilling of the public debt or interest thereon. Your memorialist has no expectation of living to see the hour of the nation's deliverance from debt and taxation, even if the sinking fund be established, but he is proud to share in the ambition (though he aspires not to the greatness) of the immortal Pitt, that he has *endeavored* to do something towards extinguishing the National debt.

The plan proposed rests not on theory alone, but is backed by the assured practical success of 44 years trial. Should the measure be recommended by your honorable bodies, and should the seed of progress happen to fall on good congressional ground, and eventuate in final success of the measure, this legislature need ask for no higher monument of glory in the future than the acknowledged fact, that it was the first to memorialize Congress to emancipate the nation from a debt, which if not checked, promises to rival the monster debt of England, long since repudiated and resolved into annuity pledges of perpetual duration.

Your memorialist would also further represent that the average cost of maintaining the penitentiary for the last three years amounts to \$47,286.69, and that it is asserted and believed that if the Illinois system was in force, of letting the services of able bodied convicts to the highest bidder, if the prison were in close proximity to such a large city as Milwaukee, that the institution would be self-sustaining, and it is said, backed by very plausible reasons, that the sale of the lands, stock, tools, and materials at Waupun would pay the cost of transporting the building and walls of the penitentiary to Milwaukee, and putting them up at the latter place, and that the enterprising citizens of that city will agree to give the necessary land, and remove the buildings, taking the "traps" and land at Waupun, and saving the State harmless from further expense, and will stipulate, under proper regulations, to pay the current expenses of the institution for a series of years, for the labor of the able bodied convicts.

For the truth of this proposition your memorialists does not pretend to vouch, but he is safe in affirming that if such terms can be had, it would save near \$50,000 per annum, and if such can be done your memorialist further asks, in the interest of the tax paying people, that your honorable bodies provide out of this amount saved, a sinking fund for the State of say \$30,000 per annum, which can be loaned out at seven per centum, on good, safe, bonded security, as well as can the trust funds, which now costs the people an annual interest of \$157,640. If this debt can be wiped out by a sinking fund in 30 years, or by 1907, it will restore the school and other educational funds to their former equilibrium, and save the annual drain upon productive industry.

Thirty thousand dollars, put at 7 per cent interest, as per the principle already set forth for the national sinking fund, would amount in 1907 to the enormous sum of \$4,136,117, and after de-

ducting the whole State debt would leave a sinking fund of \$1,884,117, capable of yielding an annual revenue of \$172,384. The whole \$4,136,117, will have cost the people only \$900,000, and that too, without increasing the taxes, provided always your memorialist is correct as to the disposition that may be made of the State prison, and even if he is not, in that regard, he nevertheless asks the honorable legislature to provide for a State sinking fund, on a scale that shall clear off the State debt in some 25 or 30 years.

Your memorialist desires to call the attention of the legislature to the further fact, in reference to the national sinking-fund that it will aid the people who borrow, as well as the government that lends, since, with scarcely an honorable exception all classes of securities draw as much as 7 per cent., while the government would loan at 6, thus saving to the borrowers one per cent., and if our State could borrow of the government at six per cent., paying up the trust-funds, it would save on its indebtedness, over \$22,500 per annum, amounting in thirty years to \$675,000. One per cent. on the amount supposed to be loaned by the government, equated as per the table herewith, would amount to a saving to the borrowers of \$327,372,389.35, so that the plan, like the dews of heaven, showers its benefits upon all.

Your memorialist deems it improper to further extend this memorial, in suggesting details, by which the system should be conducted. He will be content by saying, that so far as government loans should be made, he utterly repudiates the idea of the securities being of a lower grade than government bonds or bonds of States, or municipalities of good financial repute—in short, that the loans should be proof against “straw” securities.

All of which is respectfully submitted.

S. D. CARPENTER.

Having heard the foregoing memorial read, and in view of the vast importance of the subject, without, however, indorsing particular details upon which opinions may differ, the undersigned cheerfully unite in requesting such form of legislative action as in its wisdom may be deemed most appropriate to further the end in view.

H. A. TENNEY,  
R. J. HARNEY.

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To Committee on Federal Relations, and ordered spread on the journal.

By Senator Baker:

Mem. No. 5, S.,

Memorial and account of Wm. P. Stowe against the State of Wisconsin for services as chaplain of the 27th regiment Wis. Vol., \$527 and interest.

To Committee on Claims.

## RESOLUTIONS INTRODUCED.

By Senator Wilmot.

Jt. Res. No. 5, S.,

Joint resolution relating to a consolidated official Centennial directory of the general and several State governments of the United States of America.

WHEREAS, The year eighteen hundred and seventy-six being the centennial of American independence, in order to keep pace with the spirit of the times, and more especially with the spirit of this, our centennial year, and for the purpose of placing here a landmark of our national progress, which shall cement more closely the ties of a national fraternity and good feeling at this particular point of time in the history of this Union of Independent States ; therefore, be it

*Resolved, by the Senate, the Assembly concurring,* That the Congress of the United States, and the legislative bodies of each of the several States of this Union, be and they are hereby invited to participate with us for the purpose of compiling a consolidated official centennial directory of the several branches of the general government, and of the several State governments, of this Union ; which said consolidated directory shall contain a complete list, with their autobiographies, of the members of the executive, judicial, legislative, military and naval departments of general and State governments of these United States for the year eighteen hundred and seventy-six.

*Resolved by the Senate, the Assembly concurring,* That with the concurrence of the several States, Congress be and is hereby requested to compile and bind said consolidated directory in such strife and form as may be deemed proper and fitting for the occasion.

*Resolved by the Senate, the Assembly concurring,* That the good faith of the State of Wisconsin is hereby pledged to pay to the general government the cost of such a number of copies of said directory as are herein designated, upon their completion and reception, viz: one copy for each member therein recorded from the State of Wisconsin, which said copies shall be delivered to each such member by the State, and, together with one hundred copies for the use of the State, to be deposited with the State Librarian.

*Resolved by the Senate, the Assembly concurring,* That the Governor be and he is hereby requested, upon the passage of these resolutions, to transmit a copy of the same to the President of the Senate and the Speaker of the House of Representatives of the United States, to each of our Senators and Representatives in Congress, to the Governor of each of the several States, to the President of the Senate and the Speaker of the House of the legislative bodies of each of the States of this Union, and solicit their co-operation and concurrence in the same.

The resolutions were referred to the Committee on Federal Relations.

By Senator Flint:

Res. No. 14, S.,

*Resolved,* That the Chief Clerk of the Senate is hereby instructed

to order twenty-five copies of Assembly and Senate bills to be printed for the use of the Senate, in addition to the number now required by law.

The resolution lies over.

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### RESOLUTIONS CONSIDERED.

No. 9, S.,

Requesting the board of Railroad Commissioners to direct the land department of the West Wisconsin Railway Company to transmit statement relative to sale of lands; introduced on the 17th inst.

The resolution was adopted.

No. 12, S.,

Relating to the post-office department of Senate; introduced on the 19th inst.

The resolution was adopted.

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### BILLS INTRODUCED.

Read first and second times, and referred.

By Senator Baker:

No. 27, S.,

A bill to appropriate to Wm. P. Stowe five hundred and twenty-seven dollars and interest.

To Committee on Claims.

By Senator Welch:

No. 28, S.,

A bill to amend chapter 22, of the laws of 1875, entitled, "An act to amend chapter 136, laws of 1874, entitled, 'An act for the preservation of fish in Dell Creek.'"

To Committee on Agriculture.

By Senator Barron:

No. 29, S.,

A bill to repeal chapter 370, of the general laws of 1869, entitled, "An act requiring publication of notice of proposed special or local legislation."

To Committee on Judiciary.

By Senator Treat:

No. 30, S.,

A bill to amend chapter 152, of general laws of 1869, entitled, "An act to codify the laws of this State relating to highways and bridges."

To Committee on Roads, Bridges and Ferries.

By Senator Nevins :

No. 31, S.,

A bill relating to wills proved and allowed in any other of the United States.

To Committee on Judiciary.

By Senator Campbell :

No. 32, S.,

A bill to appropriate a sum of money to the Southwestern Wisconsin Agricultural and Industrial Association.

To Committee on Agriculture.

By Senator Reed:

No. 33, S.,

A bill to appropriate a sum of money therein named for the payment of pensions to soldiers' orphans, as provided in chapter 72, laws of 1874, for the year 1876.

To the Committee on Charitable and Penal Institutions.

By Senator Reed:

No. 34, S.,

A bill to appropriate a sum of money therein named for the payment of current expenses at the State Prison for the year ending March 1, 1877.

To Committee on Charitable and Penal Institutions.

By Senator Scott:

No. 35, S.,

A bill to amend chapter 247, of the private and local laws of 1869, entitled, "an act to incorporate the city of Grand Rapids."

To Committee on Judiciary.

By Senator Eastman:

No. 36, S.,

A bill to repeal chapter 77, of the laws of 1875, relating to an act entitled "an act to amend chapter 96, of the revised statutes, entitled of the powers of the circuit court over the estate of infants, insane persons, and habitual drunkards."

To Committee on Judiciary.

By Senator Bryant:

No. 37, S.,

A bill to appropriate to the State Board of Centennial Managers a sum of money therein named.

To Committee on Federal Relations.

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### EXECUTIVE COMMUNICATION.

STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,  
MADISON, January 19, 1876.

*To the honorable the Senate:*

The resignation of O. W. Wight, as chief geologist, having been accepted, to take effect February 16, 1876, I hereby nominate and appoint, subject to the approval of your honorable body, T. C.



Chamberlain as chief geologist of the State from that date, pursuant to the provisions of chapter 292, laws of 1873.

HARRISON LUDINGTON,  
*Governor.*

The message was referred to the Committee on State Affairs.

#### REPORTS OF COMMITTEES.

The Committee on Railroads has had under consideration

No. 4, S.,

A bill supplemental to an act entitled, "an act to encourage the building of narrow-gauge railroads and to secure cheap transportation to the people," approved March 3, 1875.

Report the same back with amendments and recommend its passage when so amended.

W. H. HINER,  
*Chairman.*

The Committee on Enrolled Bills has presented the following to his Excellency, the Governor, for signature:

No. 1, S.,

An act to provide for the appointment of phonographic reporters for the second county court for Brown county.

R. J. FLINT,  
*Chairman.*

#### REVISION OF THE RULES OF THE SENATE.

The select committee appointed to revise the rules of the Senate and report thereon, herewith submit a revision of the same, and recommend that they be adopted.

R. H. BAKER,  
*Chairman.*

#### REVISION OF THE JOINT RULES, OF THE SENATE AND ASSEMBLY.

The Joint Committee of the Senate and Assembly appointed to revise the joint rules and report thereon, have had the same under consideration and instructed me to report the following rules, and recommend that they be adopted.

R. H. BAKER,  
*Chairman.*

On motion of Senator Barron, one hundred copies of the report of the Select Joint Committee on joint rules, and two hundred copies of the report of the Select Committee on Senate rules, were ordered printed.

On motion of Senator Hiner,  
The Senate adjourned.

FRIDAY, JANUARY 21, 1876.

10 O'CLOCK A. M.

The Senate met.

Lieutenant-Governor presiding.

Prayer by Rev. Dr. Wilkinson.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Bryant, Campbell, H. N. Davis, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, McFarland, Mitchell, Nevins, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, Welch and Wilmot.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has concurred with the Senate in the passage of

No. 2, S.,

A bill to change and prescribe the times for holding the terms of the circuit court in the county of Wood, in the seventh judicial circuit.

And return to the Senate

Jt. Res. No. 4, S.,

To appoint joint committee to consider and report on re-apportionment of State into Senate and Assembly districts.

The Assembly having refused to reconsider the vote by which it concurred with the Senate in said resolution.

And present you for signature,

No. 1, A.,

An act to regulate the time of holding general and special terms of the circuit court in the sixth judicial circuit.

No. 5, A.,

An act to legalize certain school-district meetings in the towns of Royalton, Little Wolf, and Mukwa, in Waupaca county.

The same having been signed by the Speaker.

Said bills were signed by the President.

## MEMORIALS PRESENTED AND REFERRED.

By Senator Hudd:

Mem. No. 5, S..

*To the honorable, the Legislature of Wisconsin:*

The memorial of the undersigned respectfully shows:

Several years since a petition was presented to the legislature for a submission of my claim against the State, for damages actually sustained, to arbitration.

Accordingly a law was passed, page 563, laws of 1873, authorizing the appointment by the Governor, of three disinterested citizens, with full power to hear and decide the matter, and on approval of their report, the Secretary of State was required to draw his order on the treasurer for the amount awarded, and an appropriation was made sufficient to carry the provisions of the act into effect.

By a subsequent amendment to said act, page 273, laws of 1874, "the said commissioners were fully authorized and empowered to act as arbitrators in the premises, and to make such awards as they deemed just and equitable."

The subjoined statement, (exhibit "A,") shows the damages sustained by me, and although the amount awarded was less than two-thirds of the actual damages sustained, I was willing to accept it as a full settlement of my claim.

The secretary having declined to audit a portion of the sum awarded, the subject was presented at the last session of the legislature and a favorable report thereon, submitted by the Judiciary Committee of the Assembly, to which I beg respectfully to refer (as exhibit "B.")

That I have a just and fair demand against the State, no one acquainted with the circumstances can doubt. The State was deeply involved in liabilities to the general government, and to individuals, and by my efforts and sacrifices, a work which is now acknowledged to be of vast importance, was prosecuted to completion, the State was relieved of liabilities to a large amount, and these objects were attained by a loss to me of the entire accumulations of a long and active life.

Having been fairly adjudicated by a complete tribunal selected by the Governor of the State the undersigned can perceive no sound reason, why payment of his claim should be longer delayed. And would respectfully ask for the passage of a bill appropriating to me the sum of such interest.

M. L. MARTIN.

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EXHIBIT A.

*To the Honorable, the Commissioners:*

In addition to the general statement, heretofore presented, the

following itemized account of damages sustained under my contract with the State, is presented for your consideration:

|  |             |
|--|-------------|
| 1st. Amount of work done at Kaukaulin, from February, 1852, to May, 1853, as shown by estimate of engineer, \$42,445.84. |             |
| Increased cost, in consequence of interruptions during the months of May, June, and July, 1852—30 per cent. ....         | \$12,733 75 |
| 2d. Amount of work done at Little Chute, from February, 1852, to May, 1853, \$31,091.18                                  |             |
| Increased cost, from same cause—30 per cent. ....  | 9,327 35    |
| 3d. Amount of work done at Rapide Croche, for same period, \$1,027.20  |             |
| Increased cost, from same cause—30 per cent. ....  | 308 16      |
| 4th. Deterioration of work and material during suspension in summers of 1852 and 1853. ....                              | 5,000 00    |
| 5th. Extra care of work, teams, tools, etc., during suspension in summers of 1852 and 1853 .....                         | 2,500 00    |
| 6th. Loss on certificates of work done in 1852 and winter of 1853, \$73,537.02.  |             |
| Discounts paid—10 per cent .....   | 7,353 70    |
| Expense of negotiation—5 per cent. ....  | 3,676 85    |
|  | <hr/>       |
|  | 40,899 81   |

The failure of the State to furnish me the vouchers called for by my contract, and the misapplication of funds which should have been applied in payment for work, forced a suspension of the work during all the best seasons of the years 1852 and 1853, to wit: May, June, and July, 1852, and May and June, 1853. The best season for doing canal and lock-work is the three months above stated. The same amount of work can be accomplished for one-third less than in the average of the balance of the year. My contract gave two years for doing the whole job—a time barely sufficient—and with a loss of the best portion of the period for doing it, the necessity was forced upon me of constructing in the fall and winter, at greatly increased cost.

When I first made the contract, I concluded a negotiation with responsible parties in New York for all the scrip to be issued under it, at par. Instead of receiving the scrip as provided by contract, the board of public works gave me certificates for work done, upon which I was compelled to sacrifice a large per centage for the purpose of raising money to carry on the work.

That my estimate of the amount of damages sustained by me is reasonable, is abundantly proved by the testimony of David M. Loy and Theodore Conkey.

Loy says (Case, fols. 671 to 675.) that he was in charge of work at Kaukaulin, in 1851, 1852, and 1853. The whole cost of the work at that point was about \$150,000, and the damage occasioned by stoppage was from 25 to 30 per cent. That is, from \$37,500 to \$45,000.

Conkey states (Case, fols. 270, 271,) that he made an estimate in 1853, with a view of giving evidence in a suit to be instituted against the State, and estimated the damages to be from \$30,000 to \$40,000.

The losses to which I have referred involved me in irretrievable

ruin. The company took the work from the State, and instead of relieving me from embarrassment, the pledges contained in its charter were continually violated; it was constantly hampered by hostile legislation, and finally reduced to insolvency. To myself, it proved an absorption of my whole estate.

The performance of my contract relieved the State from heavy liability to the United States. A settlement would have been exacted by withholding payment of the five per cent. due under the act admitting the State into the Union, (which has since been paid), and amounting to a large sum. Can the State conscientiously enjoy this large benefit from the contract, without remunerating me for the losses by which it was obtained?

The completion of a great public enterprise has also been secured, of inestimable value to the people of the State.

The legislature has very justly provided for the adjustment of my claim upon principles of equity and good conscience, as a slight reward for the sacrifices incurred by me in her service.

The act (chap. 243, laws of 1873, and amendment, chap. 152, laws of 1874.) make an unqualified submission of the matter to the commissioners, and authorized them "to make such award as they may deem just and equitable."

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#### EXHIBIT "B."

The Judiciary Committee to whom was referred

Mem. No. 93, A.,

Of Morgan L. Martin, for the allowance of the interest awarded by the commissioners who considered his claim against the State and made an award thereon,

Have had the same under consideration and submit the following report:

That by act of March 19, 1873, laws of 1873, 563, provision was made for the settlement of the claim of the memorialist for damages sustained by him under the contract made between him and the State, dated May 14, 1851, by the award of three commissioners to be appointed by the Governor, and upon a report made and certified by a majority of such commissioners to the Secretary of State, awarding any sum of money in satisfaction of his claim, and on his approval thereof, the Secretary of State was directed to draw his warrant for the amount so awarded, and an appropriation was made for the purpose of carrying the provisions of this act into effect.

By chapter 152, laws of 1874, 273, the first-named act was amended by adding to section 1 of this act a provision that "the said commissioners be fully authorized and empowered to act as arbitrators in the premises, and to make such awards as they may deem just and equitable."

M. P. Lindsley, Theodore Rodolf and B. B. Eldredge, were appointed such commissioners, and on the 24th of June, 1874, a ma-

jority of such commissioners made an award, from which one of the commissioners, Mr. Eldredge, dissented, stating that the facts stated in said Martin's claim were substantially proved, to-wit:

"That he entered into contract with the State, May 14, 1851, for the improvement of Fox River, and faithfully fulfilled the same on his part; that the execution of the contract prevented the entire abandonment of the enterprise in 1851, and a similar catastrophe in 1853, and its fulfillment relieved the State from future liability to government of the United States, and indebtedness already incurred to contractors; that in consequence of the non-fulfillment of said contract on the part of the State, during the year 1852 and the early part of 1853, he sustained damages exceeding the sum of thirty-five thousand dollars, which he is fully entitled to, but has received no remuneration; that deducting therefrom the amount of the bond of indemnity executed by said Martin to the State, July 6, 1853, of \$25,000, and allowing him the balance, to wit:

"The sum of ten thousand dollars, with interest thereon as claimed by him, in his said memorial, furnishes a basis of settlement of his claim, extremely liberal on his part, and which, in our judgment is just and equitable, the State having received large pecuniary benefits from his labors and sacrifices in carrying forward the said improvement to completion, and the act first above referred to, authorizing the settlement of his claims upon principles of justice and equity, that they therefore awarded that the State should pay to Morgan L. Martin, in full satisfaction of all damages sustained by him under his contract above referred to, the sum of ten thousand dollars and interest thereon at the rate of seven per cent. per annum from July 6, 1853, to the date of such award, amounting in all to the sum of twenty-four thousand six hundred and seventy-eight dollars and fifty-six cents, and that the bond of indemnity executed by the said Martin to the State on said date, to be delivered up to be canceled."

This award of ten thousand dollars, with the amount of interest accruing from February 5, 1873, the date of the claimant's first application to the legislature to the date of the award, in all amounting to the sum of \$10,974.16, was allowed and approved by the Secretary of State.

It will be perceived that the majority of the commissioners (and the majority had power under the law to make an award) find that on July 6, 1853, there was justly and equitably due to the memorialist the sum of \$10,000, and that he ought to have interest on it from that date.

It is a general rule, that upon all moneys due or wrongfully or unjustly withheld from a claimant, he is entitled to interest from the time such moneys ought to have been paid, and so far has the rule been carried, that in the case of *Vaughan vs. Howe & Robbins*, 20 Wis., 523, 525, it was held proper for the jury to allow interest on the amount which a plaintiff was entitled to recover as damages for not performing a contract for the delivery of saw-logs; and many other similar cases might be cited.

The allowance or non-allowance of interest in such cases is

largely a matter of discretion, and the claim for interest is equitable in its nature, and founded on the theory that when a party withholds what is due, he ought in justice and equity to pay interest so long as he withholds it.

We think that the question whether interest should be allowed to Mr. Martin, was one for the commissioners to determine, the legislature having empowered the commissioners, "as arbitrators \* \* \* to make such awards *as they may deem just and equitable.*"

The Secretary of State approved the award as to the principal sum and interest from the 5th of February, 1873. If the award was correct as to the principal sum, and it was justly and equitably due July 6, 1853, then we see no reason upon the face of the award why interest should not be allowed from the latter date. The time which we are allowed for the consideration of this claim, makes it impossible for us to investigate the foundation or state of facts upon which the award was made, nor do we wish to be understood as expressing the opinion that it would be proper to go back of the award, which, so far as we are able to discover, may be entirely just and fair.

The question arising upon the award seems to be dependent upon equitable considerations, and upon the award of the commissioners allowing interest.

The amount claimed is for interest from July 6, 1853, to February 6, 1873, and we are of the opinion that its allowance will be in conformity with the award of the commissioners, and the theory and spirit of the acts of the legislature under which the commissioners acted.

All of which is respectfully submitted.

A resolution is herewith reported to the Assembly for its action in the premises.

W. J. KERSHAW,  
*Chairman.*

The memorial was ordered spread upon the journal, and referred to the Committee on Claims.

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By Senator Barron:

Mem. No. 6, S.,

Petition of August Beyl, Wm. J. Vincent, and others of Polk county, in favor of an act to repeal all laws, exempting lands from taxation.

To Committee on State Affairs.

By the President:

Mem. No. 7, S.,

Of Chicago, Milwaukee and St. Paul Railroad and Chicago and Northwestern Railroad.

MILWAUKEE, January 20, 1876.

SIR:—We have the honor to transmit herewith a memorial in behalf of the president and board of directors, of the Chicago, Milwaukee and St. Paul Railway Company, and the Chicago and

Northwestern Railway Company, which we respectfully request may be submitted by you to the house over which you preside.

We are, very respectfully, your obedient servants,

ALEX. MITCHELL, *President.*

ALBERT KEEP, *President.*

HON. C. D. PARKER,

*President of the Senate.*

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*To the Honorable, the Senate and Assembly of the State of Wisconsin :*

Your memorialists, the president and board of directors of the Chicago, Milwaukee and St. Paul Railway Company, and of the Chicago and Northwestern Railway Company, respectfully represent:

That in the discharge of their duty to their stockholders they are again compelled to ask the attention of the honorable, the legislature, to the existing laws of the State, limiting their earnings from the business done within its limits.

Your memorialists ask leave to again refer to the statements showing the cost, gross and net earnings, operating expenses and interest payments, bonded debt and capital stock of the respective companies contained in the memorial they had the honor to submit to the legislature of 1875, copies of which will be submitted with this.

By that memorial it will be seen that the Chicago and Northwestern Railway Company own and operate within the State 565 23-100 miles of road, consisting of the following lines:

1. From Sharon, Wis., to the Michigan State line, 220.80 miles.
2. From Beloit to the west end of the Winona bridge, at Winona, Minn., 205.60 miles.
3. From Milwaukee to Fond du Lac, 62.63 miles.
4. From Kenosha to the State line, east of Harvard, Ill., 27.50 miles.
5. From the Illinois State line to Geneva Lake, 8.70 miles.
6. From Milwaukee south to the Illinois State line, 40 miles.

Of the second line, that portion from Madison to Trempealeau Junction, 30 miles south of Winona, is subject to a first mortgage drawing seven per cent. gold interest, amounting to \$3,150,000. From Trempealeau Junction to the west end of the Winona bridge, it is subject to a first mortgage of \$1,000,000, drawing ten per cent., currency, interest. The line from Beloit to Madison is subject to a first mortgage bearing seven per cent., currency, interest, amounting to \$306,000.

The third line is subject to a first mortgage of \$3,500,000, drawing seven per cent., gold, interest. Of the line first named, 23 miles, from Oshkosh to Appleton, are subject to a first mortgage of \$147,000. From Appleton to Ft. Howard the line is subject to a first mortgage of \$282,000. The two last mortgages are at seven per cent., currency, interest. From Ft. Howard to Menomonee the line is subject to a first mortgage amounting to \$1,172,340, drawing gold interest.



All the lines named are covered by two mortgages, being part of the consolidated mortgages of the company, of which the proper portion applicable to the Wisconsin lines, amount to \$3,618,925.50 drawing seven per cent. interest, partly gold and partly currency.

The line from Sharon to Oshkosh is subject to three mortgages, in connection with the rest of the line from Sharon south to Chicago, of which the portion applicable to the Wisconsin portion of the line, amounts to \$3,561,786, drawing seven per cent. currency interest.

The sixth line, before named, is subject to two mortgages, of which the amount applicable to the State of Wisconsin is \$874,-822.80, drawing interest at seven per cent.

The amount of money required each year, to pay interest on that part of these Mortgages, which lie in the State of Wisconsin is \$1,350,135.35.

To this amount must now be added the sum of \$42,774.57, being the increase in the amount of annual interest payments, belonging to the Wisconsin lines, for new construction since the last memorial was submitted, caused principally by the substitution of steel for iron rails, and iron for wooden bridges.

This makes the annual charge for interest, applicable to the Wisconsin lines, on the 30th of September last, \$1,392,909.92.

The line from Madison to Trempealeau Junction, before named, has cost, besides the amount realized from the sale of the mortgage bonds above named, \$2,559,135.38, and is represented only by stock, common and preferred, of the Chicago & Northwestern Railway Company.

The line from Trempealeau Junction to the west end of Winona bridge has cost, besides the proceeds of the mortgage, \$376,774.06, which is likewise represented only in the stock of the Chicago & Northwestern Railway Company.

The amount realized from these mortgages was used only in the construction of all the lines named, and in so far furnishing them as to make it possible to use them. A very large portion of the rolling stock required to do their business is only represented by the stock of the company.

The gross earnings of these roads for the year ending September 30, 1875, was \$3,205,805.70.

The operating expenses for the Wisconsin lines, as nearly as they can be apportioned to them, for the same time, amounted to the sum of \$2,071,511.51, leaving as net proceeds of the business of the State applicable to the payment of interest upon its bonded debt, and dividends upon stock, the sum of \$1,134,294.19.

The account, therefore, for that year's operations, stands thus :

|                                      |                |
|--------------------------------------|----------------|
| Gross earnings.....                  | \$3,205,805 70 |
| Operating expenses.....              | 2,071,511 51   |
| Amount applicable to interest.....   | 1,134,294 19   |
| Amount required to pay interest..... | 1,392,909 92   |
| Deficit .....                        | 258,615 73     |

The capital stock of this company, applicable to the lines in Wisconsin, ascertained upon the principle that was applied in determining the earnings and operating expenses, amounts to \$15,097,902.24. No portion of this capital has received a dollar of return for more than two years. At existing rates of transportation there is no hope that it ever will. It would make this communication too long to state in what manner and for what purposes this stock was created. It is enough for the present purpose to show that in this State over three millions of dollars have been expended within the past five years, that is represented only by this capital stock. Many millions have also been invested in rolling stock by the company, which is only represented in the same manner.

That portion of the funded debt of the Chicago, Milwaukee and St. Paul Company properly applicable to the property within the State of Wisconsin, amounts to the sum of \$13,154,424.42. The annual payments of interest amount to the sum of \$1,088,994.

Its total earnings from all sources, during the year ending September 30, 1875, within the State, were \$4,803,692.13. Its operating expenses for the same time were, \$3,171,236.51, leaving applicable to the payment of interest, and dividends on stock, \$1,632,455.62.

The amount of preferred stock of the company, applicable to the State of Wisconsin, ascertained upon a strictly pro-rata per mile basis, (which as the trunk, and therefore most valuable lines are in Wisconsin, is not a just basis of division for the company,) is \$5,834,546.96. Of common stock, the amount upon the same basis, is \$7,319,877.46.

This account will therefore stand thus:

|                                  |                |
|----------------------------------|----------------|
| Gross earnings .....             | \$4,803,692 13 |
| Operating expenses.....          | 3,171,236 51   |
| Net earnings.....                | 1,632,455 62   |
| Interest payments .....          | 1,088,994 00   |
| Net applicable to dividends..... | 543,461 62     |
| Amount of capital stock.....     | 13,154,424 42  |

Equal to a dividend of about 4 per cent.

So far from the capital stock of this company being what is termed "watered," no similar property in this, or any country, has cost so little, and a careful and minute appraisement, of three well-known and disinterested experts, has determined the fact that its present cash value is in excess of the face or par of the bonds and stock by which it is represented.

|  |              |
|--|--------------|
| The amount of funded debt and capital stock applicable to the property in this State has been stated at.....   | \$27,969,142 |
| The value of the same property, as appraised by three disinterested civil engineers, in detail, after actual examination of each item, and reported by the company to the commissioners and published in their report..... | 28,850,820   |

|  |         |
|--|---------|
| Excess of cash value over both stocks and bonds..... | 881,678 |
|--|---------|

Of this appraisal the commissioners say:

"The estimate made by the Chicago, Milwaukee & St. Paul company deserves special consideration because of the completeness of its detail and the high character of the engineers by whom the estimate was made. Allowance must be made for the fact, however, that the investigation was made under the immediate direction of the company interested," &c.

If these statements of engineers, earnings and expenses, funded debt and stock are true, they show that in the case of the Chicago & Northwestern company, it does not earn enough to pay interest on its bonds, leaving nothing for its stock, and in the case of the Chicago, Milwaukee & St. Paul company, it earns about four per cent. per annum on its main trunk lines, where its business is greatest, and expenses proportionately least.

If the truth of these statements is doubted, your memorialists respectfully but earnestly ask an opportunity of demonstrating them in any manner before any committee or tribunal the legislature may please to assign to that duty.

Your memorialists are not unmindful of the fact that the board of commissioners profess not to be satisfied that the earnings are insufficient to pay fair return upon capital invested in this State by the companies. Your memorial represent—so far as their doubts are understood, they refer to what are alleged to be heavy disbursements, on account of unwise obligations assumed to connecting and feeding lines without the State.

We beg to call attention to the fact that we are not now seeking to justify or to challenge the approval of your honorable body to the investments that have elsewhere been made by our companies.

The only question we respectfully submit, of interest in this connection, to either the legislature or the people of the State, is whether their business is taxed to support lines out of the State?

That it is *not* by the Chicago and Northwestern company, will be evident from statements already made. That company has paid its interest on all the bonds properly chargeable to the property in Wisconsin. It has earned (after paying operating expenses,) from the business within the State, \$258,615.73 less than that interest. Is any further demonstration needed to show that it has not taxed the people of this State for the benefit of others?

It is true the Chicago, Milwaukee and St. Paul company has earned a little more than enough to pay its interest within this State.

The question in reference to that company is simply: whether assuming that this excess is divided among the stockholders, the legislature think four per cent. per annum is all the owners of the property ought to realize from their investment in it, and whether their ability, if unrestricted, to earn six per cent., is an adequate reason for continuing to restrict them to four per cent.?

Whether the lines out of the state, connecting with the several lines of your memorialists in the State, are a benefit or an injury to the property within the State, will be determined by the consideration of the facts attending their joint operation.

It will be admitted that the only resource for revenues for the companies, is the earnings from business.

That these resources are from:

1st. Local business.

2d. Business done in connection with connecting lines without the State.

From the first source for the year ending September 30, 1875, the Chicago, Milwaukee and St. Paul company earned in the State of Wisconsin:

|   |                |
|---|----------------|
| Excluding mail and express .....                        | \$1,997,522 41 |
| From the second source, excluding mail and express..... | 2,556,486 12   |

During the same time, in the same State, the Chicago and Northwestern company, earned from freight alone:

|                             |              |
|-----------------------------|--------------|
| From the first source ..... | \$636,511 00 |
| From second source .....    | 1,607,938 41 |

What would be the financial condition of the companies, if their business was confined within the limits of the State, is too evident from this statement to need illustration. It is enough to say that if dependent upon local business alone, if they could be run at all, they would only be as freight roads, with the facilities and accommodations incidental to them.

Your memorialists respectfully ask the attention of the honorable the legislature, to the tables accompanying the former memorial, to which reference has been made. By these tables, comparisons are made with the business, cost, rates, receipts and expenditures, with a large number of railroads in the United States, England, and the Continental States of Europe.

The documents and other testimony, from which these tables have been compiled, are in possession of your memorialists, and will be submitted to the inspection and verification of any committee the legislature may charge with that duty.

Without repeating here the detailed information they contain, your memorialists beg leave to say, that they show beyond all dispute that the rates fixed by the laws of this State for the service rendered, are lower than those fixed by either law or the tariff of railroad companies in any State of the Union or any country in Europe.

This statement is admitted to be true in the first annual report of the Board of Railway Commissioners.

That board left no means untried to obtain information upon the past history and present condition of the railway interests of the State. They were armed with the whole physical power of the State and backed by its treasury.

That they met at least with no obstacles in the discharge of their duties from the management of railways, is shown by their statement that "they feel it their duty, as it is also their pleasure, to make acknowledgement of the uniform courtesy they have received

from all railway officials with whom they have had relations in the discharge of their duties, some of whom have cheerfully undertaken expensive labors at the request of the board."

Upon this point the board say: "It is undeniable that the rates (rates fixed by the act of 1874,) are considerably lower than are at present charged by a great majority of the railroads of the country," as they state are shown by the published comparative statements accompanying their report.

An examination of these statements will show that they are made, among others, with railways in the States of Massachusetts and New York, where the population and business is very much larger than in this State, and where the power of the legislature over rates is as great as that possessed by the legislature of this State.

Your memorialists suppose the justification for so much of the existing laws as fix arbitrary rates for transportation is to be found, if at all, in the belief that the rates established by the companies themselves were extortionate.

To ascertain whether they had been so in fact, was one of the most important duties of the Board of Commissioners. If they had found the evidence of such extortion in the whole course of their investigations they would have stated it.

They have made no such charge, and the just inference is that they did not find such to have been the fact.

The rates heretofore established by your memorialists were never sufficient, upon the volume of business done by them, to yield an adequate return upon the investment in them. But, inadequate as they were, from the influence of competition and other causes, they were gradually and constantly reduced.

The attention of the honorable the legislature is particularly asked to the following table, which shows at the same time the effect upon rates, of the laws of business, and the extremely low rate at which all business was done when the laws were passed further reducing them.

The companies named are the Chicago, Milwaukee & St. Paul, Chicago & Northwestern, Michigan Central, Chicago, Burlington & Quincy, Lake Shore & Michigan Southern, and Chicago, Rock Island & Pacific railroads.

| Year.     | C. M. &<br>St. P. R. R. | C. & N.<br>W. R. R. | M. C.<br>R. R. | C., B. &<br>Q. R. R. | L. S. & M.<br>S. R. R. | C. R. I. &<br>P. R. R. |
|-----------|-------------------------|---------------------|----------------|----------------------|------------------------|------------------------|
| 1868..... | 3.49                    | 3.13                | 2.45           | 3.20                 | 2.43                   | .....                  |
| 1869..... | 3.10                    | ... * ...           | 2.09           | 3.01                 | 2.34                   | 2.74                   |
| 1870..... | 2.82                    | 3.09                | 1.98           | 2.77                 | 1.50                   | 2.64                   |
| 1871..... | 2.54                    | 2.87                | 1.61           | 2.31                 | 1.39                   | 2.49                   |
| 1872..... | 2.43                    | 2.51                | 1.56           | 2.19                 | 1.37                   | 2.29                   |
| 1873..... | 2.50                    | 2.35                | 1.57           | 2.18                 | 1.33                   | 2.07                   |

\* Records for 1869 destroyed in Chicago fire.

It will be admitted by all that the capital invested here in this kind of property was invited by the character of the laws passed by the legislature, and its expenditure only failed in being in exact accordance with the wishes of the entire people in so far as the amount expended fell short of their desires.

It will also be admitted that this capital has largely promoted the interests of the entire State:

It pays a very large annual tax into the State Treasury.

If the rates of freight ever charged by any railroad company were doubled, it would still be a much cheaper mode of transportation than any it superseded.

It has added very largely to the population of the State.

It has increased the value of real property in the State, not owned by the companies, many times the entire cost of all the railways.

No material agent has contributed so much to the prosperity and happiness of the people.

This capital has not, so far in its history, paid its contributors two per cent. per annum upon the amount actually invested.

With existing legislation it never can be made to pay anything to the stockholders and keep its property in such repair as to preserve itself against destruction from the wear its use in the public service necessarily entails.

Your memorialists are, however, compelled to admit, and the laws upon the statute book must be deemed conclusive evidence of the fact in the absence of any admission, that the relations heretofore existing between the companies they represent and the people of the State have not been as harmonious as their mutually great interest in each others, success would imperatively demand.

It is of no importance now to discuss the reasons for this unfortunate difference, or to point out its responsible cause. It is enough to say that it cannot continue without destruction to the interests your memorialists represent, and, as they believe, without injury to the people.

In that spirit of frankness that should characterize all communications to the law-making power, upon a subject of such vital importance as this, your memorialists beg leave to say that all legislation that shall tend to prevent all extortionate rates, all unjust or partial discriminations for or against persons and places, on the part of their officers or agents, all legislation that shall require the fullest information of all the acts and proceedings of the companies in any way affecting the public, all such police regulations as shall insure the safety and convenience of the patrons, will be heartily welcomed by them. Such legislation, wisely framed and fairly administered, will promote the best interests of their stockholders, to whom your memorialists are directly responsible.

But, your memorialists also ask leave to state, in the same spirit, that they cannot continue for any prolonged time the successful operation of their railways under existing legislation.

Heretofore, trusting to the conservative and kindly influence of time, and a more intimate knowledge of this subject, in all its relations, and firmly believing that justice would at last be done, your

memorialists have, at the direct expense of their stockholders, not only continued the use of all their facilities to the public, but have greatly strengthened and improved them.

But your memorialists are, with great reluctance, compelled to say that, if such legislation is to become the settled policy of the State, it will become the imperative duty of your memorialists to attempt, by reductions in service and other radical modifications of expenditure, to endeavor to secure some return upon the capital invested by those they represent.

No honest man can desire that this capital shall be utterly lost to its owners.

These investments were made to furnish transportation to those who wanted to buy it.

It was purely a business transaction: Those who buy it are the great majority of the people. They are the same majority that make the laws. If the rates are made by law, then they are made by those who purchase the commodity, and not by those who own and sell it.

It surely needs only the statement of this fact, to show that no business can be successfully conducted upon such a basis.

If any need further illustration, they will find it by applying the like circumstances to the business of manufacturers or of agriculturists.

Who would engage in the sale of any commodity if the purchaser alone fixed the price?

Neither can the business of transportation be successfully conducted under fixed and arbitrary rules. It is as complicated as the business relations of the mass of individuals who make up a community, no two of which are precisely alike.

It was after long and patient investigation into the operation of the existing laws, with surely no prepossessions in favor of the railway companies, that the board of Railway Commissioners unanimously affirmed in their official report, under the sanction of their official oath, that "specific rates of charges fixed by any authority independent of railway companies, who have the responsibility of management, are *everywhere found to be impracticable*. That statutory provisions for the control of a business so intricate, and involving such an infinite variety of particulars, must of necessity be practically worse than useless, unless broad and general in character, compelling observance of established principles, rather than imposing regulations for all the details of practical operations."

Those your memorialists represent are citizens of the State, made such by its laws. Under these laws they have invested an immense amount of capital within it.

They respectfully insist that they are, with their fellows, entitled to the equal protection of the laws, and because, by the operation of these laws, they are not only deprived of that protection, but are singled out from all the other interests of the State, as sole objects of oppression and spoliation, they respectfully ask that the pro-

visions of the laws of 1874 and 1875, fixing arbitrary rates of fare and freight, may be repealed.

Dated, Milwaukee, January 20, 1876.

THE CHICAGO MILWAUKEE & ST. PAUL R'Y. CO.

By ALEX. MITCHELL,  
*President.*

THE CHICAGO & NORTHWESTERN R'Y CO.

By ALBERT KEEP,  
*President.*

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Ordered spread on the journal, and referred to Committee on Railroads.

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By Senator Flint:

Mem. No. 8, S.,

In relation to claim of D. K. Tenney for services rendered to the committee to revise and codify the laws of the State relating to the assessment and collection of taxes.

To Committee on Claims.

By Senator Flint:

Mem. No. 9, S.,

Petition of E. McCarty, John McGregor, Peter Peterson, and 46 others, citizens of Grant, Dunn county, praying for the repeal of the law exempting the West Wisconsin Railway from taxation.

To Committee on Railroads.

By Senator Barden:

Mem. No. 10, S.,

Relative to amendment of railroad law, by D. Buchanan.

To Committee on Railroads.

By Senator Eastman:

Mem. No. 11, S.,

Of Conrad Krez.

To Committee on Claims.

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## RESOLUTIONS INTRODUCED.

By Senator Hudd:

Jt. Res. No. 6, S.,

*Resolved by the Senate, the Assembly concurring,* That the Senators and Representatives of the State of Wisconsin in Congress, be requested to use all proper endeavors to procure from Congress an appropriation for the erection of suitable public buildings in the city of Green Bay for the use of the custom-house or revenue



officers there established, the post-office department, and other Federal officers and departments located in said city of Green Bay.

*Further resolved*, That the Secretary of State cause a copy of this resolution to be transmitted to each of the Senators and Representatives in Congress from this State.

The resolution lies over.

By Senator Barron:

Jt. Res., No. 7, S.,

*Resolved by the Senate, the Assembly concurring*, That the joint select committee on apportionment, be authorized to employ a clerk, procure maps, and order such printing as may be necessary for the use of the committee.

The rules were suspended, and the resolution was adopted.

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### RESOLUTIONS CONSIDERED.

Res. No. 4, S.,

Ordering printing of bills,

Was,

On motion of Senator Flint,

Indefinitely postponed.

On motion of Senator Barden,

Jt. Res. No. 11, S.,

The consideration of which was postponed until the 25th inst., was taken up by unanimous consent and the resolution was adopted.

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### BILLS INTRODUCED.

Read first and second times and referred.

By Senator Baker:

No. 38, S.,

A bill relating to Racine College and amendatory of section 4, of chapter 65, of the private and local laws of 1852, as amended by chapter 28, of the private and local laws of 1861.

On motion of Senator Baker,

The rules were suspended and the bill was read a third time and passed.

By Senator Eastman:

No. 39, S.,

A bill to appropriate to Conrad Krez a sum of money therein named.

To Committee on Claims.

By Senator Barron:

No. 40, S.,

A bill to authorize and require the county clerk of the county of Burnett to make and keep up an abstract of tax sales.

To Committee on Judiciary.

## REPORTS OF COMMITTEES.

The Committee on Enrolled Bills have carefully examined, and report correctly enrolled, the following:

No. 2, S.,

To change and prescribe the times for holding the terms of the circuit court for the county of Wood, in the seventh judicial circuit.

R. J. FLINT,

*Chairman.*

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The Committee on State Affairs, to whom was referred the communication of his excellency the Governor, informing the Senate of the resignation of O. W. Wight, State Geologist, and the acceptance of the same, to take effect on the 16th day of February, 1876, and the nomination and appointment of T. C. Chamberlain as his successor, subject to the approval of the Senate,

Respectfully report that they have had the same under consideration and report the same back to the Senate with the recommendation that the said appointment be approved.

L. W. BARDEN,

*Chairman.*

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On motion of Senator H. N. Davis,

The nomination and appointment was approved by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Bryant, Campbell, H. N. Davis, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, McFarland, Nevins, Reed, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot—24.

Nays—0.

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The Committee on Judiciary, to which was referred

Mem. No. 1, S.,

The memorial of Henry Stoll and 82 others, asking the repeal of laws exempting any property from taxation,

Have had the same under consideration, and instructed me to report it back to the Senate with the recommendation that it be referred to the Committee on State Affairs, to which committee a number of other memorials asking for the same legislation have been referred.

H. D. BARRON,

*Chairman.*

So referred.

## LEAVES OF ABSENCE.

Leave of absence was granted  
To Senators Barden, Ryan, Mitchell, Reed, Treat, and Hiner un-  
till Monday evening.  
To Senators Scott and Wilmot until Tuesday morning.

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Senator Baker moved that the Senate adjourn until 7:30 Monday evening.

The ayes and noes being called for, it was lost by the following vote:

Ayes—Senators Baker, Barden, Hiner, Hudd, McFarland, Schuette, Scott, Tate, Treat, and Wilmot—10.

Nays—Senators Barney, Barron, Bryant, Campbell, H. N. Davis, Downs, Eastman, Farr, Flint, Hathaway, Nevins, Silverthorn, and Welch—13.

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On motion of Senator Baker,  
The Senate adjourned,

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SATURDAY, JANUARY 22, 1876.

10 o'clock, A. M.

The Senate met,

The Lieut.-Governor presiding.

Prayer by the Rev. Dr. Wilkinson.

The roll was called and the following Senators answered to their names:

Senators Barney, Barron, Bryant, Campbell, H. N. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hudd, McFarland, Nevins, Silverthorn, Tate, and Welch.

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## COMMUNICATIONS.

The chair presented the following communication from the Railroad Commissioners:

OFFICE OF THE RAILROAD COMMISSIONERS,  
January 21, 1876.

*To the honorable the Senate of the State of Wisconsin:*

The undersigned, Railroad Commissioners, have the honor to

acknowledge the receipt of a copy of Resolution No. 9. S., directing them to request of the West Wisconsin Railway Company certain information relative to the sale and rent of lands, and would respond thereto as follows:

In answer to questions put by this commission, the West Wisconsin Railway Company has already made a sworn statement of the following facts concerning lands granted to, as well as received, sold, and contracted by said company up to the 30th day of June, 1875, to-wit:

|  |              |
|--|--------------|
| Total number of acres of lands granted to the company.....                                     | 1,004.160    |
| Number of acres received.....  | 759,990.60   |
| Number of acres sold and conveyed.....   | 50,567,      |
| Average price per acre realized.....   | \$4 23       |
| Number of acres held by company at date of report.....   | 601,282.34   |
| Amount of land sold, but not conveyed, under contracts in force at date of report (acres)..... | 108,140.56   |
| Whole amount of cash, principal, received for lands hitherto sold and conveyed.....            | \$213,809 35 |
| Whole amount of cash received, principal on outstanding contracts in force.....                | 208,223 00   |
| Whole amount of cash received, principal and interest on contracts forfeited.....              | 1,128 75     |
| Whole amount of cash received for stumpage, trespass, etc.....                                 | 54,029 79    |
| Total receipts from lands sold and contracted to be sold during year ending June 30, 1875..... | 23,299 17    |
| Aggregate sum of receipts on account of lands, from all sources....                            | 961,091 19   |
| Amount due the company on lands sold or contracted.....  | 413,707 22   |

The foregoing information will be found printed on pages 87 and 88 of the official papers accompanying the second annual report of this commission, now nearly ready for delivery.

The further information demanded by your honorable body will be requested of the company without delay, and forwarded immediately upon receipt thereof.

Respectfully,

JOHN W. HOYT,  
JOS. H. OSBORNE,  
GEO. H. PAUL,  
*Commissioners.*

#### MEMORIALS PRESENTED AND REFERRED.

By the President :

Mem. No. 12, S.,

Of the board of supervisors of St. Croix county, relative to the issue of land patents to the North Wisconsin railroad.  
To Committee on Railroads.

#### RESOLUTIONS CONSIDERED.

Jt. Res. No. 6, S.,

Relating to the erection by the United States Government, of a

custom-house, post-office and other buildings at Green Bay, Wisconsin; introduced on yesterday by Senator Hudd.

The resolution was adopted.

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### REPORTS OF COMMITTEES.

The Committee on the Judiciary to which was referred:

No. 26, S.,

A bill to amend chapter 111, of the revised statutes, entitled: Of divorce.

No. 35, S.,

A bill to amend chapter 247, private and local laws of 1869, entitled an act to incorporate the city of Grand Rapids.

No. 7, S.,

A bill to amend section 25, of chapter 119, of the revised statutes, entitled general provisions concerning courts of record, of the powers and duties of judges, and of attorneys and officers of court.

Have had the same under consideration, and instructed me to report them back to the Senate with the recommendation that they do pass, Senator Bryant dissenting from so much of this report as relates to No. 26, S.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary, to whom was referred,

No. 29, S.,

A bill to repeal chapter 370, of the general laws of 1860, entitled "an act requiring publication of notice of proposed special or local legislation."

Have had the same under consideration, and instruct me to report it back with the recommendation that it be indefinitely postponed.

H. D. BARRON,  
*Chairman.*

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On motion of Senator Barron,

The rules were suspended, and said bill,

No. 29, S.,

Was indefinitely postponed.

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### LEAVES OF ABSENCE.

Leaves of absence were granted to Senators Baker and Schuette, until Monday evening.

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On motion of Senator H. N. Davis,

The Senate adjourned.

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MONDAY, JANUARY 24, 1876,

10 O'CLOCK A. M.

The Senate met,  
The Lieutenant-Governor presiding.  
The calling of the roll was dispensed with.

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### MEMORIALS INTRODUCED.

Read first and second times, and referred.

By Senator Welch:

M. C. No. 4, S.,

Relating to increased mail facilities in the northern portion of Sauk county.

To Committee on Federal Relations.

By Senator Flint:

M. C. No. 5, S.,

For an increase of mail service from Durand to Pepin, in Pepin county.

To Committee on Federal Relations.

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### BILLS INTRODUCED.

Read first and second times and referred.

By Senator Bryant:

No. 41, S.,

A bill to amend chapter 273, laws of 1874, entitled, "an act relating to railroads, express, and telegraph companies in the State of Wisconsin."

To Committee on Railroads.

By Senator Bryant:

No. 42, S.,

A bill to repeal chapter 290, laws of 1874, entitled, "an act to authorize the Board of Railroad Commissioners to employ a clerk."

To Committee on Railroads.

By Senator Bryant:

No. 43, S.,

A bill to repeal chapter 39, laws of 1875, entitled "an act to amend chapter 273, laws of 1874, entitled 'an act relating to rail-

roads, express and telegraph companies in the State of Wisconsin."

To Committee on Railroads.

By Senator Bryant:

No. 44, S.,

A bill to repeal chapter 53, of the general laws of 1870, entitled "an act to provide stationery and postage stamps for officers and employes of the Senate and Assembly."

To Committee on State Affairs.

By Senator Bryant:

No. 45, S.,

A bill to repeal chapter 8, of the general laws of 1867, entitled "an act relating to reporters of daily newspapers."

To Committee on Legislative Expenditures.

By Senator Bryant:

No. 46, S.,

A bill to provide for the payment of the stationery of the legislative reporters.

To Committee on Legislative Expenditures.

By Senator Silverthorn:

No. 47, S.,

A bill to provide for the hearing and decision of motions and making of orders in certain cases in civil actions.

To Committee on Judiciary.

By Senator Silverthorn:

No. 48, S.,

A bill to provide for the appointment of phonographic reporters for the circuit court of Oconto county.

To Committee on Judiciary.

By Senator Welch:

No. 49, S.,

A bill relating to registration of electors, and amendatory of section 1, of chapter 232, of the general laws of 1875.

To Committee on Judiciary.

By Senator Welch:

No. 50, S.,

A bill to amend chapter 208, of laws of 1875, entitled "an act in relation to the Wisconsin Railroad Farm Mortgage Land Company."

To Committee on Railroads.

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## REPORTS OF COMMITTEES.

The Committee on the Judiciary, to whom was referred

No. 81, S.,

A bill relating to wills proved and allowed in any other of the United States,

Have had the same under consideration, and instruct me to report the same back to the Senate, with certain amendments, and recommend that when so amended it do pass.

H. D. BARRON,  
*Chairman.*

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The Committee on Federal Relations, to whom was referred  
M. C. No. 3, S.,

Requesting an investigation to be made into the right of George W. Cate to occupy a seat as member of Congress from the 8th district of Wisconsin,

Have had the same under consideration, and have instructed me to report the same back without recommendation, Senator Bryant dissenting.

G. E. BRYANT,  
*Chairman.*

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The Committee on Federal Relations, to whom was referred  
M. C. No. 1, S.,

Memorial to Congress for the establishment of a daily mail route between Marine Mills, Washington county, Minnesota, *via* Farmington Center to Osceola Mills, Polk county, Wisconsin, and,

M. C. No. 2, S.,

Memorial to Congress for increased mail-facilities in the counties of Green Lake and Waushara; and,

Jt. Res. No. 5, S.,

Pertaining to a consolidated official centennial directory of the government of the United States, for the year A D., 1876,

Have examined the same, and instructed me to report the same back to the Senate recommending their adoption.

GEO. E. BRYANT,  
*Chairman.*

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#### LEAVES OF ABSENCE.

Senator Hathaway, asked indefinite leave of absence for Senator Downs.

Leave was granted.

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On motion of Senator Barron,  
The Senate adjourned.



TUESDAY, JANUARY 25, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

The roll was called and the following Senators answered to their names:

Senators, Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Silverthorn, Tate, Treat, Welch, and Wilmot.

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#### MEMORIALS PRESENTED AND REFERRED.

By Senator Douglas:

Mem. No. 14, S.,

Of Lewis B. Johnson and 34 others, of Alma, Jackson county, for the repeal of the laws of 1870, exempting the lands of the West Wisconsin Railway Company.

To Committee on Railroads.

By Senator Bryant:

Mem. No. 15, S.,

Of Robert Walton and others, for amendment of statutes in relation to soldiers' orphans.

To Committee on Charitable and Penal Institutions.

By Senator Bryant:

Mem. No. 16, S.,

Of Mary Hunt and others, for amendment of statutes in relation to soldiers' orphans.

To Committee on Charitable and Penal Institutions.

By Senator Flint:

Mem. No. 17, S.,

Of M. Brork, A. H. Johnsons, Albert Quilling, and 42 other cit-

izens of Menomonie, Dunn county, praying for the repeal of the law exempting the lands of the West Wisconsin Railway from taxation.

To Committee on Railroads.

By Senator Flint:

Mem. No. 18, S.,

Of John W. Travis, O. A. Buell, E. W. Brown, and 45 other citizens of the town of Fairchild, Eau Claire county, praying for the repeal of the law of 1870, exempting the West Wisconsin Railway lands from taxation.

To Committee on Railroads.

By Senator Flint:

Mem. No. 19, S.,

Of John Kelley, J. M. Hopkins, S. C. Simmons, and 38 others of the town of Lucas, Dunn county, praying for the repeal of the law exempting the lands of the West Wisconsin Railway from taxation.

To Committee on Railroads.

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## RESOLUTIONS INTRODUCED.

By Senator Barron:

Res. No. 15, S.,

Relating to agents appointed by the Governor to protect the timber on the lands granted to the St. Croix and Lake Superior Railroad Company, granting permits to cut grass thereon.

*Whereas*, Chapter 46, of the general laws of 1869, provide that "the Governor be authorized and empowered to appoint one or more competent persons as agents of the State, who shall hold office during the pleasure of the Governor, and whose duties shall be to protect the timber growing on said lands," and,

*Whereas*, It is creditably reported, and publicly known in the counties of Burnett, Polk and St. Croix, that permits to cut grass on said lands for hay, have been sold to homesteaders, settlers and loggers, and such homesteaders, settlers and loggers forbidden to cut said grass without first paying for such permits,

*Resolved*, That his excellency, the Governor, is respectfully requested to inform the Senate by what authority, and under what law, if any, said agents, or either of them, have sold such permits in Burnett, Polk, or any other county of the State.

*Resolved*, That his excellency, the Governor, is respectfully requested to inform the Senate whether the reports or accounts of any of said agents on file in his office show that any such permits have been sold, or that any moneys have been received for such permits, or paid or deposited with the State Treasurer, and if so, how much.

The resolution lies over.

## MEMORIALS TO CONGRESS.

Read first and second times and referred.

By Senator Flint:

M. C. No. 6, S.,

For an appropriation to improve the navigation of the Chippewa River.

To Committee on Federal Relations.

By Senator Silverthorn:

M. C. No. 7, S.,

For the establishment of a mail route from Wausau to Colby, via Stettin, Marathon and Wien.

To Committee on Federal Relations.

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BILLS INTRODUCED.

Read first and second times and referred.

By Senator Douglas:

No. 51, S.,

A bill to repeal chapter 104, general laws of 1870, entitled, "an act to aid the West Wisconsin Railway Company."

To Committee on Railroads.

By Senator Barron:

No. 52, S.,

A bill to amend section 4, of chapter 430. of the private and local laws of 1868, entitled, "an act to incorporate the Apple River, Log Driving Company."

To Committee on Judiciary.

By Senator H. N. Davis:

No. 53, S.,

A bill to appropriate to Fred. A. Dennett and R. M. Strong, the sum of fifty dollars each.

To Committee on Claims.

By Senator Flint:

No. 54, S.,

A bill to codify and consolidate the laws relating to pay and mileage of members, pay of employes, and providing for newspapers, postage stamps, stationery, and opening of legislature.

To Committee on Legislative Expenditures.

By Senator Tate :

No. 55, S.,

A bill to amend section 52, of chapter 188, of the general laws of 1872, entitled, "an act for the incorporation of villages."

To Committee on Militia.

By Senator Flint :

No. 56, S.,

A bill authorizing counties, cities, villages, and towns to make

appropriations for celebrating the centennial year of the nation's existence.

To Committee on Federal Relations.

By Senator Flint :

No. 57, S.,

A bill relating to verdicts of juries.

To Committee on Judiciary.

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### REPORTS OF COMMITTEES.

The Committee on the Judiciary, to which was referred

No. 36, S.,

A bill to repeal chapter 77, of the laws of 1875, relating to an act entitled, "an act to amend chapter 96 of the revised statutes, entitled, 'of the powers of the circuit court over the estate of infants, insane persons, and habitual drunkards,'"

Have had the same under consideration, and instruct me to report it back with certain amendments, and the recommendation that when so amended it pass.

H. D. BARRON,  
*Chairman.*

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The Committee on Roads, Bridges and Ferries, to whom was referred the following bills, have had the same under consideration, and report them back as follows:

No. 10, S.,

A bill relating to highways and amendatory to section 1 of chapter 130, general laws of 1867; and,

No. 13, S.,

A bill to lay out and establish a State road from Wausau to Shawano,

With the recommendation that they do pass.

JOHN SCHUETTE,  
*Chairman.*

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The Committee on Education, to whom was referred,

No. 14, S.,

A bill to amend section 1, of chapter 306, of the general laws of 1875, entitled "an act to transfer the Soldiers' Orphans' Home to the custody of the regents of the State University."

Have had the same under consideration and report it back with the recommendation that it do pass.

S. L. NEVINS,  
*Chairman.*

The Committee on Agriculture to whom was referred  
No. 11, S.,

A bill to appropriate to the " Wisconsin State Agricultural Society " a sum of money therein named,

Respectfully report the same back to the Senate, and recommend its passage.

L. W. BARDEN,  
*Chairman.*

The bill was referred to the Committee on Claims.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk, thereof:

MR. PRESIDENT:—I am directed to present you for signature,  
No. 2, S.,

An act to change and prescribe the times for holding the terms of the circuit court for the county of Wood, in the seventh judicial circuit.

Said act was signed by the President.

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#### MESSAGE FROM THE ASSEMBLY,

By R. M. STRONG, Chief Clerk thereof :

MR. PRESIDENT:—I am directed to inform you that the Assembly has concurred with the Senate, in

Jt. Res. No. 6, S.,

Relating to the erection by the United States Government of a custom-house, post-office, and other buildings at Green Bay, Wis.

Jt. Res. No. 7, S.,

Relating to clerk for Committee on Apportionment.

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On motion of Senator Potter,  
The Senate resolved itself into a

#### COMMITTEE OF THE WHOLE

On the general file of bills,  
Senator Barron in the chair.

After some time spent therein, the committee rose, and through their chairman reported as follows :

MR. PRESIDENT :—The Senate, in Committee of the Whole, has had under consideration the general file of bills, has gone through with the same, and has instructed me to report the following bills to the Senate for its consideration :

No. 4, S.,

A bill supplemental to an act entitled, "an act to encourage the building of narrow-gauge railroads, and to secure cheap transportation to the people."

No. 36, S.,

A bill to repeal chapter 77, of the laws of 1875, relating to an act entitled "an act to amend chapter 96, of the revised statutes, entitled of the powers of the circuit court over the estate of infants, insane persons, and habitual drunkards."

No. 31, S.,

A bill relating to wills proved and allowed in any other of the United States.

M. C., No. 3, S.,

Requesting an investigation to be made into the right of George W. Cate, to occupy a seat as member of Congress for the 8th district of Wisconsin.

Were reported back with amendment.

No. 7, S.,

A bill to amend section 25, of chapter 119, of the revised statutes, entitled, "general provisions concerning courts of record, of the powers and duties of judges, and of attorneys and officers of court."

No. 13, S.,

A bill to lay out and establish a State road from Wausau to Shawano.

No. 26, S.,

A bill to amend chapter 111, of the revised statutes, entitled of divorce.

No. 45, S.,

A bill to repeal chapter 8, of the general laws of 1867, entitled, "an act relating to reporters of daily newspapers."

M. C., No. 2, S.,

Memorial to Congress for increased mail facilities in the counties of Green Lake and Waushara.

No. 14, S.,

A bill to amend section 1, of chapter 306, of the general laws of 1875, entitled "an act to transfer the Soldiers' Orphans' Home to the custody of the regents of the State University."

No. 10, S.

A bill relating to highways and amendatory to section 1, of chapter 130, general laws of 1867.

M. C. No. 1, S.,

Memorial to Congress for the establishment of a daily mail-route between Marine Mills, Washington county, Minnesota, *via* Farmington Center, to Osceola Mills, Wisconsin.

Jt. Res. No. 5, S.,

Joint resolution relating to a consolidated official Centennial directory of the general and several State governments of the United States of America.

Were reported without amendment.

REPORT OF THE COMMITTEE OF THE WHOLE CON-  
SIDERED.

The amendments to

No.'s 4, 31, and 36, S.,

Were adopted, and said bills were ordered engrossed.

The amendments to

M. C. No. 3, S.,

Were adopted, and the further consideration thereof was postponed till Thursday at 11, a. m., and made the special order for that hour.

No. 26, S.,

Was postponed till to-morrow.

No. 35, S.,

Was referred to a select committee of one, consisting of Senator Scott.

Jt. Res. No. 5, S., M. C. Nos. 1 and 2 S., and Nos. 7, 10, 13, and 14, S.,

Were severally ordered engrossed for a third reading.

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On motion of Senator Schuette,  
The Senate adjourned.

WEDNESDAY, JANUARY 26, 1876.

10 O'CLOCK A. M.

The Senate met,

The Lieutenant-Governor presiding.

Prayer by the Rev. C. H. Richards.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot.

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#### MEMORIALS PRESENTED AND REFERRED.

By Senator Douglas:

Mem. No. 20, S.,

Of John Ure and 12 others, of Lynn, Clark county, for the repeal of laws of 1870, extending the exemption of West Wisconsin land from taxation.

To Committee on Railroads.

By Senator Douglas:

Mem. No. 21, S.,

Of John Luttrell and 42 others, of Irving, Jackson county, for the repeal of the laws of 1870, exempting the lands of the West Wisconsin Railway Company from taxation.

To Committee on Railroads.

By Senator Flint:

Mem. No. 22, S.,

Of S. B. French, Stephen Harder, P. O. Solberg and 41 other citizens of Menomonie, Dunn county, praying for the repeal of the law exempting the lands of the West Wisconsin Railway from taxation.

To Committee on Railroads.



By Senator Douglas:

Mem. No. 23, S.,

Of J. B. Ainskeep and 68 others, for the repeal of the law of 1870, exempting the lands of the West Wisconsin Railway Company from taxation.

To Committee on Railroads.

By Senator Flint:

Mem. No. 24, S.,

Of Matt. Harshman, W. H. Doane, Cephas Young, and 30 other citizens of Spring Brook, Dunn county, praying for the repeal of the law exempting the lands of the West Wisconsin Railway from taxation.

To Committee on Railroads.

By Senator Flint:

Mem. No. 25, S.,

Of Martin L. Howe, Fred Quilling, Gabriel Jensen, and 59 other citizens of the town of Elk Mound, Dunn county, praying for the repeal of the law exempting the lands of the West Wisconsin Railway from taxation.

To Committee on Railroads.

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## RESOLUTIONS INTRODUCED.

By Senator Bryant:

Jt. Res. No. 8, S.,

Providing for stationery for joint committee on apportionment.

*Resolved by the Senate, the Assembly concurring,* That the Joint Select Committee on Apportionment is authorized to draw such amount of stationery as may be necessary for its use; *provided*, that the amount thus drawn shall not exceed in value the amount allowed by law to the standing committees.

The rules were suspended and the resolution was adopted.

By Senator Schuette:

Res. No. 16, S.,

Requesting the revisors of the statutes to report to the Senate the condition of the work in their charge.

*Resolved*, That the revisors appointed by the Justices of the Supreme Court under an act passed March 4, 1875, to revise the statutes of this State, are respectfully requested to inform this Senate at their earliest convenience, how far and in what proportion to the whole work, they have progressed in their duties, the expense attending it so far, and at what time they expect to be able to report the revision complete.

The resolution lies over.

By Senator Barron:

Jt. Res. No. 9, S.,

Instructing and requesting our Senators and Representatives in

Congress, to oppose a certain bill in Congress relating to the St. Croix land grant.

WHEREAS, A bill was introduced in the United States Senate on the 10th day of January, 1876, by Senator Sargent, of California, entitled, "a bill to restore the lands conditionally granted, the conditions of which have lapsed, to the public domain," which bill would include the grant of lands made to the State of Wisconsin, by acts of Congress, approved June 3, 1856, and May 5, 1864, "to aid in the construction of a railroad from the St. Croix River or Lake, between townships twenty-five and thirty-one, to the west end of Lake Superior and Bayfield," and

WHEREAS, Forty miles of road have been built by the company to which has been given said grant by the State of Wisconsin in consideration thereof, and said company is preparing and proceeding to build the remainder of said road, and the passage of said United States Senate bill would work great injustice to the State of Wisconsin, to said railroad company, and especially to that part of the State through which said road is to run.

*Resolved by the Senate, the Assembly concurring,* That our Senators in Congress are instructed, and our Representatives therein are requested, to oppose so much of said bill now pending in the United States Senate as will affect said grant of lands made to the State of Wisconsin.

The resolution lies over.

By Senator Barron:

Res. No. 17, S.,

Calling for information from Attorney-General regarding suits against West Wisconsin Railway Company.

*Resolved,* That the Attorney-General be and is hereby requested.

*First,* To report to the Senate the present status of the case of the State of Wisconsin against the West Wisconsin Railway Company now pending in the Supreme Court to forfeit the charter of the company.

*Second,* His opinion as to the effect of the further prosecution of the case, especially whether it would prevent for a time the operation of any portion of the line of the West Wisconsin Railway Company.

*Third,* What legislative action, if any, in regard to such case and the subject matter thereof, would, in his opinion, best subserve the interests of the State.

The resolution lies over.

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## RESOLUTIONS CONSIDERED.

No. 15, S.,

Relating to agents appointed by the Governor to protect the timber on the lands granted to the St. Croix and Superior Railroad Company granting permits to cut grass thereon; introduced on yesterday by Senator Barron:

The question being on the adoption of the resolution. Senator Barron moved to amend by inserting "Barron" before the word "Burnett," where it occurs in the resolution.

The amendment was adopted, and said resolution as amended was then adopted.

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### BILLS INTRODUCED.

Read first and second times and referred.

By Senator Barron:

No. 58, S.,

A bill to amend section 1, of chapter 46, of the general laws of 1869, entitled, "an act to protect the lands and timber thereon, granted to the St. Croix and Lake Superior Railroad Company."

To Committee on Judiciary.

By Senator Mitchell:

No. 59, S.,

A bill to amend an act, entitled, "an act to incorporate the Milwaukee Musical Society," approved April 5, 1852.

To select committee of one, consisting of Senator Mitchell.

By Senator Barney:

No. 60, S.,

To authorize the Secretary of State to order the binding of the report of the State Superintendent of Public Instruction.

To Committee on Claims.

By Senator Barney:

No. 61, S.,

A bill to provide for the purchase of 300 copies of Webster's Unabridged Dictionary.

To Committee on Education.

By Senator Potter:

No. 62, S.,

A bill relating to the preservation of fish in Silver Lake and Fish Lake, and the waters connecting them, in the county of Waushara.

To Committee on Agriculture.

By Senator Douglas:

No. 63, S.,

A bill to provide for the corporation of fire departments in incorporated villages.

To Committee on Incorporations.

By Senator H. N. Davis:

No. 64, S.,

A bill to appropriate a sum of money therein named to the Institution for the Education of the Blind, for the purpose of paying indebtedness incurred in furnishing the wing of said building with furniture and fixtures.

To Committee on Charitable and Penal Institutions.

By Senator Welch:

No. 65, S.,

A bill to perfect and encourage the organization of State militia, and appropriating money therefor.

To Committee on Military Affairs.

By Senator Flint:

No. 66, S.,

A bill to authorize N. O. Murry and L. S. Lenhart to keep and maintain a ferry across Lake Pepin from the village of Stockholm, Wisconsin, to Lake City, Minnesota.

To Committee on Roads, Bridges and Ferries.

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### REPORTS OF COMMITTEES.

The Committee on Agriculture to whom was referred,

No. 28, S.,

A bill for the preservation of fish in Dell Creek, respectfully report the same back to the Senate and recommend that it be referred to the Judiciary Committee.

L. W. BARDEN

*Chairman.*

So referred.

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The Committee on Banks and Insurance to whom was referred,  
No. 6, S.,

A bill to authorize town insurance companies to insure real and personal property, in any towns and adjoining towns in the same county, where such insurance companies may be located, and to legalize such insurance heretofore made,

Report the same back, with amendments, and recommend its passage when amended.

WM. BLAIR,

*Chairman.*

---

The Committee on State Affairs, to whom was referred,

No. 44, S.,

A bill to provide stationery, &c., to employes and officers of the Senate and Assembly,

Respectfully report the same back to the Senate, and recommend that it be referred to the Committee on Legislative Expenditures.

L. W. BARDEN,

*Chairman.*

So referred.

The Committee on State Affairs, to whom was referred,  
No. 12, S.,

A bill relating to the propagation of fish, &c., and appropriating a sum of money therefor,

Respectfully report that they have had the same under consideration, in connection with the Committee on Agriculture, to whom was referred so much of the Governor's message as related to the propagation of fish, and the said committees have instructed me to report the said bill back to the Senate, with a recommendation that it do pass.

L. W. BARDEN,  
*Chairman.*

The bill was referred to the Committee on Claims.

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The Committee on Enrolled Bills have carefully examined the following, and find it correctly enrolled:

Jt. Res. No. 6, S.,

Relating to the erection by the United States Government of a custom-house, post-office, and other public buildings, at Green Bay, Wisconsin.

R. J. FLINT,  
*Chairman.*

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The Committee on Federal Relations, to whom was referred,  
No. 37, S.,

A bill to appropriate to the State Board of Centennial Managers a sum of money therein named,

Have had the same under consideration, and have instructed me to report the same back with a substitute, and recommend the passage of such substitute.

GEO. E. BRYANT,  
*Chairman.*

---

The Joint Committee on Charitable and Penal Institutions, to whom was referred,

No. 17, S.,

A bill to appropriate a sum of money therein named, for the use of the Institute for the Education of the Deaf and Dumb, for the payment of current expenses for the year ending March 1, 1877, and for permanent improvements.

No. 16, S.,

A bill to appropriate a sum of money therein named for the use of the Institute for Education of the Blind, for the payment of current expenses.

No. 19, S.,

A bill to appropriate a sum of money therein named for the use of the Industrial School for Boys, for the payment of current expenses, to pay indebtedness, and to complete barn.

No. 33, S.,

A bill to appropriate a sum of money therein named for the payment of pensions to soldiers' orphans, as provided in chapter 72, laws of 1874, for the year 1876.

No. 34, S.,

A bill to appropriate a sum of money therein named for the payment of current expenses at the State Prison for the year ending March 1, 1877.

Have had the same under consideration, and have instructed me to report them back, and recommend their passage.

H. N. DAVIS,  
*Chairman.*

The said bills were referred to the Committee on Claims.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

Mr. PRESIDENT:—I am directed to inform you that the Assembly has adopted and asks the concurrence of the Senate in

Jt. Res., No. 4, A.,

Relating to the reception of bills.

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#### ASSEMBLY MESSAGE CONSIDERED.

Jt. Res. No. 4, A.,

Relating to the reception of bills.

Lies over under the rules.

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#### BILLS REPORTED BY A COMMITTEE OF THE WHOLE.

The consideration of bill

No. 26, S.,

A bill to amend chapter 111, of the revised statutes, entitled of divorce,

Which was set for to-day, was taken up.

Senator Reed offered the following substitute for section one:

"Section 1. Section nine, of chapter 111, of the revised statutes, is hereby amended by adding thereto the following additional cause for divorce: 8th. When the husband or wife shall have been incurably insane for the space of eight years immediately preceding the

commencement of the action for divorce, but no such divorce shall be granted where it shall appear that the plaintiff in such action has, by reason of neglect, abuse or otherwise, contributed in any manner to the cause of such insanity. nor unless such incurable insanity shall be clearly established by the testimony of two practicing physicians, residents of the county where such action is pending; *provided*, that where such insane husband or wife is an inmate of any asylum or hospital for the insane, the testimony of the superintendent of said asylum or hospital shall be taken in lieu of one of the said practicing physicians."

The amendment was adopted.

The question being on the engrossment of the bill as amended, the ayes and nays were called for, and the Senate refused to order the engrossment of the bill by the following vote.

Ayes—Senators Baker, Barney, Barron, Blair, R. E. Davis, McFarland, Reed, Ryan, Silverthorn, Tate, and Welch—11.

Nays—Senators Barden, Bryant, Campbell, H. N. Davis, Douglas, Downs, Eastman, Flint, Hathaway, Hiner, Mitchell, Nevins, Potter, Rounds, Schuette, Scott, Treat, and Wilmot—18.

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On motion of Senator Barden,  
The Senate resolved itself into a

#### COMMITTEE OF THE WHOLE,

On the report of the Select Committee on the revision of the rules of the Senate,

Senator Barden in the chair.

After some time spent therein, the committee rose, and through their chairman reported as follows:

MR. PRESIDENT:—The Senate in Committee of the Whole has had under consideration the revision of the rules, has gone through with the same, and has instructed me to report the following rules to the Senate, with various amendments.

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#### REPORT OF THE COMMITTEE OF THE WHOLE CONSIDERED.

The several amendments to the rules, made in Committee of the Whole, were adopted by the Senate.

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#### RESOLUTIONS INTRODUCED.

Senator Barron, on leave, introduced,

Res. No. 18, S.,

Resolved, That Rule No. 13, entitled *Committees*, be suspended

during the present session of the Senate, and that the standing committees of the Senate shall remain during this session, as constituted on page 10 of the Senate Journal.

On motion of Senator Barron,

The rules were suspended and the resolution was adopted.

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On motion of Senator Campbell,  
The Senate adjourned.

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THURSDAY, JANUARY 27, 1876.

10 O'CLOCK, A. M.

The Senate met,

The Lieutenant-Governor presiding.

Prayer by the Rev. C. H. Richards.

The roll was called and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Mitchell, Nevins, Reed, Rounds, Ryan, Schuette, Scott, Tate, Treat, Welch, and Wilmot.

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#### MEMORIALS PRESENTED AND REFERRED.

By Senator Hiner:

Mem. No. 26, S.,

Of Rosella M. Bowman.

*To the Honorable, the Legislature of the State of Wisconsin:*

The memorial of Rosella M. Bowman, formerly Rosella M. Downell, respectfully represents:

That under the law of 1859, providing for the erection of the State Capitol, Samuel H. Downell was appointed architect, and his compensation was fixed by said law, and the several subsequent acts. That afterwards, one A. Kutzbock, was associated with him as architect, that plans, specifications, and estimates, for the entire building were prepared and accepted by the State, and delivered to its custody. The east wing was erected under his superintendence, and payment made as the work progressed, according to the terms of the law. Mr. Downell, in December, 1860, while the work was in progress, died, leaving an unadjusted balance due him under the contract.



Your memorialist represents that, as his widow and administrator, she caused to be presented to the legislature, in 1861, an account against the State in favor of Downell & Kutzbock, claiming the balance due after giving credit for all services paid. This account necessarily embraced the interest of Mr. Kutzbock, who, upon the death of Mr. Downell, had succeeded him as State architect. The correct amount due for such services was easily determined by the committee on claims, and there was no difference between your memorialist and the committee.

But as the architect was to be paid as the work progressed, and Mr. Downell died before its completion, the committee were of the opinion that from the amount to become due a discount should be made in consideration of immediate payment. The claim embraced only the charge for superintendence of the completed wing, and plans, specifications, and estimates for the remainder, which was in progress of erection at the time of his death, and your memorialists protested that this was *completed work*, while conceding that the percentage for superintending was due to the successor. Mr. Kutzbock declined to make any discount upon his interest in the claim, but preferred and did subsequently receive his as the work progressed.

But the necessities of the estate of the deceased compelled your memorialist to submit to such discount upon her interest, amounting to \$1,470, and the committee reported a bill appropriating \$3,000 to Mr. Kutzbock and herself, in full for plans, specifications, and estimates of the west wing, then nearly completed, and \$2,500 to your memorialist alone, for the half interest of the estate in the plans and specifications and estimate of the entire work. Your memorialist, therefore, respectfully presents a duplicate of the amount then presented, upon which she acknowledges the receipt of the amount then appropriated, and claims the balance then and now due, with interest from that time. She knows of no reason why a receipt in part of an undoubted claim should be held conclusive of payment in full, the only consideration on the part of the claimant being necessity, and on the part of the State an equitable discount for advance payment not admitted by her, and to which her associate declined to submit.

ROSELLA M. BOWMAN.

*STATE OF WISCONSIN, Dane County, ss:*

Rosella M. Bowman, being duly sworn, on oath says, that she is the person who has made and subscribed the foregoing named, and that the statements therein contained, and the account thereto attached are true.

ROSELLA M. BOWMAN.

Sworn to and subscribed before me, this 25th day of January, 1876.

B. E. HUTCHINSON,  
*Notary Public.*

## STATE OF WISCONSIN,

## To DOWNELL &amp; KUTZBOCK, DR

|          |  |                  |  |
|----------|--|------------------|--|
| 1858.    |  |                  |  |
| May 30.  | To paid expenses to Prairie du Chien.....  | \$20 00          |  |
| June 20. | To buggy-hire to examine quarries.....   | 5 00             |  |
| June 23. | To buggy-hire to examine quarries.....   | 5 00             |  |
| July 22. | To expenses to Prairie du Chien.....   | 20 00            |  |
|          | To making plans, specifications, superintending east wing,<br>5 per cent. estimate (\$92,000)..... | 4,600 00         |  |
| Mar. 29. | To 5 per cent. on extra amt. p'd McDonald (\$13,273.19)  | 636 65           |  |
|          | To plans, superintending cistern.....  | 25 00            |  |
|          | To Speaker's and Clerk's desks.....  | 17 50            |  |
|          | To making plans, specifications, and estimates—  |                  |  |
|          | On west wing, (\$108,300), at 3 per cent.....  | 3,189 00         |  |
|          | On south wing, (\$71,600) at 3 per cent.....   | 2,148 00         |  |
|          | On north wing, (\$71,600) at 3 per cent....  | 2,148 00         |  |
|          | On center and dome, (\$90,200) at 3 per cent .....   | 2,706 00         |  |
|          |  | <u>15,520 15</u> |  |

## CREDIT.

|          |  |                  |  |
|----------|--|------------------|--|
| July 9.  | By cash .....  | \$200 00         |  |
| Aug. 5.  | By cash .....  | 3,020 00         |  |
| Oct. 5.  | By cash .....  | 719 59           |  |
| 1859.    |  |                  |  |
| July 10. | By cash .....  | 639 45           |  |
|          | Balance due.....   | 4,579 04         |  |
|          |  | <u>10,941 11</u> |  |
|          | Appropriated, April 13, 1861, to Downell & Kutzbock..... | 3,000 00         |  |
|          | Half interest estate of S. H. Downell in remainder ..... | 3,970 55         |  |
|          | Appropriated to Rosella M. Downell .....                 | 2,500 00         |  |
|          | Balance due, April 13, 1861.....                         | <u>1,470 55</u>  |  |

Referred to the Committee on Claims, and ordered spread upon the journal.

By Senator Scott:

Mem. No. 27, S.,

Of the county board of supervisors of Adams county, asking for a change in the laws for advertising and selling lands for delinquent taxes.

By Senator Flint:

Mem. No. 28, S.,

Of H. J. Goddard, George Ginty, and 52 other citizens, of Chippewa county, against the passage of any bill to authorize the construction of a dam or dams across the Chippewa River below the head of navigation.

*To the Senate and Assembly of the State of Wisconsin in Legislature assembled:*

WHEREAS, At different intervals during the past fifteen years, under different pretexts, parties have sought to secure the form of legislative authority from the legislature of this State to authorize

the construction of dams across the Chippewa River at points below the head of navigation;

AND WHEREAS, The Chippewa River is one of the navigable waters leading into the Mississippi River, which by the ordinance of 1787, by the act of Congress, by the enabling act, under which the State was organized and admitted as a State into the Union, (the same having been re-enacted in our State Constitution) became and is a common and continuous highway, from the head of navigation at the city of Chippewa Falls to the Gulf of Mexico over which a large and increasing inter-State commerce is carried on, amounting annually to over five millions of dollars, with also the possibility and right of inter-national commerce, thus placing all questions affecting the navigation of the river rightfully under the control of the general government;

AND WHEREAS, By and under an act of Congress, the general government has taken cognizance of this authority and duty, and has caused several surveys to be made of the Chippewa River, from Chippewa Falls to its confluence with the Mississippi River, with the view of improving the navigation of the river;

AND WHEREAS, Such acts as are sought to be passed by your honorable body, granting the occupancy of the channel of the river for private, local, and speculative purposes, no matter with how many or how apparently good promises of indemnification and safe-guards from danger to the public or private interests, would be an assumption of unwarranted legislation, provoking litigation and productive only of mischief.

Therefore, the undersigned earnestly remonstrate and protest against the passage of any bill authorizing the construction of a dam across the Chippewa River below the city of Chippewa Falls.

H. J. GODDARD,

GEO. C. GINTY,

AND FIFTY-TWO OTHERS.

To Committee on Judiciary, and ordered spread on the journal.

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### BILLS INTRODUCED.

Read first and second times and referred.

By Senator Bryant:

No. 67, S.,

A bill for the relief of the estate of John Reynolds, deceased.

To Committee on Judiciary.

By Senator Downs:

No. 68, S.,

A bill to amend section 1, of chapter 323, laws of 1875, relating to free high schools.

To Committee on Education.

By Senator Downs:

No. 69, S.,

A bill in relation to the pontoon bridge across the Mississippi River at Prairie du Chien.

To Committee on Railroads.

By Senator Scott:

No. 70, S.,

A bill to fix the time for holding the terms of the several circuit courts in the seventh judicial circuit.

To Committee on Judiciary.

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### REPORTS OF COMMITTEES.

The Committee on the Judiciary to which was referred,

No. 28, S.,

A bill to amend chapter 22, of the laws of 1875, entitled, "An act to amend chapter 136, laws of 1874, entitled, 'An act for the preservation of fish in Dell Creek.'"

No. 52, S.,

A bill to amend section 4, of chapter 430, of the private and local laws of 1868, entitled, "an act to incorporate the Apple River, Log Driving Company."

No. 47, S.,

A bill to provide for the hearing and decision of motions and making of orders in certain cases in civil actions.

No. 8, S.,

A bill relating to the assessment of property for taxation, to repeal chapter 120, of the general laws of 1871, and to revive, restore and re-enact section 4, of chapter 27, of the general laws of 1871.

No. 9, S.,

A bill relating to the preservation of game and amendatory of section 1, of chapter 139, of the general laws of 1875, entitled an act to amend section 3, of chapter 78, of the general laws of 1867, entitled an act for the preservation of game.

Have had the same under consideration and instruct me to report them back, with the recommendation that they pass.

H. D. BARRON,

*Chairman.*

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The Committee on Engrossed Bills, have examined and found correctly engrossed the following bills:

No. 14, S.,

A bill to amend section 1, of chapter 306, of the general laws of 1875, entitled "an act to transfer the Soldiers' Orphans' Home to the custody of the regents of the State University."

No. 31, S.,

A bill relating to wills proved and allowed in any other of the United States.

No. 36, S.,

A bill to repeal chapter 77, of the laws of 1875, relating to an act entitled "an act to amend chapter 96, of the revised statutes, entitled of the powers of the circuit court over the estate of infants, insane persons, and habitual drunkards."

No. 4, S.,

A bill supplemental to an act entitled, "an act to encourage the building of narrow-gauge railroads, and to secure cheap transportation to the people," approved March 21, 1875.

No. 7, S.,

A bill to amend section 25, of chapter 119, of the revised statutes, entitled, "general provisions concerning courts of record, of the powers and duties of judges, and of attorneys and officers of court."

D. E. WELCH,

*Chairman.*

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The Joint Committee on Charitable and Penal Institutions, to whom was referred,

No. 18, S.,

A bill to appropriate a sum of money therein named for the use of the Wisconsin Hospital for the Insane for the payment of current expenses, for repairs, and improvements, and deficiency.

No. 20, S.,

A bill to appropriate a sum of money therein named for the use of the Northern Hospital for the Insane, for the payment of current expenses and for improvements.

Have had the same under consideration, and instruct me to report them back and recommend their passage.

H. N. DAVIS,

*Chairman.*

The bills were severally referred to the Committee on Claims.

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#### REPORTS OF SELECT COMMITTEES.

The Select Committee of one to whom was referred,

No. 59, S.,

A bill to amend an act entitled "an act to incorporate the Milwaukee Musical Society."

Report the same back, with the recommendation that it pass.

JOHN L. MITCHELL,

*Chairman.*

## RESOLUTIONS CONSIDERED.

On motion of Senator Barron:

Jt. Res. No. 4, A.,

Relating to the reception of bills, was referred to the Committee on State Affairs.

Jt. Res. No. 9, S.,

Instructing and requesting our Senators and Representatives in Congress to oppose a certain bill in Congress, relating to the St. Croix land-grant.

Introduced on yesterday by Senator Barron.

The resolution was adopted.

Res. No. 16, S.,

Requesting the revisers of the statutes, to report to the Senate the condition of the work in their charge.

Introduced on yesterday by Senator Schuette.

Senator Barron moved to amend the resolution by substituting the following:

WHEREAS, In pursuance of an act of the legislature for the year 1875, to-wit, chapter 203, of the laws of that year, the justices of the Supreme Court were authorized to appoint, and did appoint certain persons to collect and revise the general laws of the State, for the purpose of preparing a new edition of such laws for publication,

AND WHEREAS, By such act such revisers were required to enter upon the work of revision as soon as practicable, and upon completion thereof to report the same to the next succeeding legislature,

AND WHEREAS, It is important that a completion of such revision be had as soon as possible, with a view not only to answer the requirements of said act and the demand of the people of the State, but also with a view that such revision may be completed without unnecessary delay or expense,

AND WHEREAS, It is demanded by the people of the State that they be informed as to the progress made by such revisers and the probable length of time required by them in which to complete such revision; therefore,

*Resolved*, That said revisers be and they are hereby requested to report to this House without delay,

*First*. What proportion of the laws they have already revised.

*Second*. What number of days they have been employed in such work to this time.

*Third*. What further number of days they will probably require in which to complete such revision.

*Fourth*. What the compensation of each of such revisers and their clerk amounts to at the present time.

Res. No. 17, S.,

Calling for information from Attorney-General regarding suits against West Wisconsin Railway Company.

Introduced on yesterday, by Senator Barron.

The resolution was adopted.

## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

Mr. PRESIDENT:—I am directed to present you for signature,

Jt. Res. No. 6, S.,

Relating to the erection by the United States Government of a custom-house, post-office, and other buildings at Green Bay, Wisconsin.

The same having been signed by the Speaker,

Said joint resolution was signed by the President.

## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

Mr. PRESIDENT:—I am directed to inform you that the Assembly has concurred in

No. 38, S.,

A bill relating to Racine College. and amendatory of section 4, of chapter 65, of the private and local laws of 1852, as amended, and chapter 28, of the private and local laws of 1861.

## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

Mr. PRESIDENT:—I am directed to inform you that the Assembly has concurred in

Jt. Res. No. 8, S.,

Providing for stationery for Joint Committee on Apportionment, And,

Jt. Res. No. 9, S.,

Instructing and requesting our Senators and Representatives in Congress to oppose certain bill in Congress.

## BILLS READY FOR ENGROSSMENT.

No. 6, S.,

A bill to authorize town insurance companies to insure real and personal property in any town and adjoining towns in the same county where such insurance companies may be located, and to legalize such insurance heretofore made.

Was ordered engrossed.

No. 37, S.,

A bill to appropriate to the State Board of Centennial Managers a sum of money therein named.

The amendments reported by the Committee on Federal Relations to said bill, were adopted, and the bill was ordered engrossed.

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#### SENATE BILLS READY FOR A THIRD READING.

No. 4, S.,

A bill supplemental to an act entitled, "an act to encourage the building of narrow-gauge railroads, and to secure cheap transportation to the people."

No. 7, S.,

A bill to amend section 25, of chapter 119, of the revised statutes, entitled "general provisions concerning courts of record, of the powers and duties of judges, and of attorneys and officers of court."

No. 31, S.,

A bill relating to wills proved and allowed in any other of the the United States,

No. 36, S.,

A bill to repeal chapter 77, of the laws of 1875, relating to an act entitled, "an act to amend chapter 96 of the revised statutes, entitled, 'of the powers of the circuit court over the estate of infants, insane persons, and habitual drunkards,'"

Were each read a third time and passed.

No. 14, S.,

A bill to amend section 1, of chapter 306, of the general laws of 1875, entitled, "an act to transfer the Soldiers' Orphans' Home to the custody of the regents of the State University,"

Was, at the request of Senator Barden, laid aside.

No. 59, S.,

A bill to amend an act entitled "an act to incorporate the Milwaukee Musical Society," approved April 5, 1852.

On motion, of Senator Mitchell,

The rules were suspended, the bill was read a third time and passed, and the title was amended to correspond with the body of the bill.

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#### SPECIAL ORDER.

M. C. No. 3, S.,

Requesting an investigation to be made into the right of Geo. W. Cate to occupy a seat as member of Congress for the 8th district of Wisconsin.

Being the special order for this hour,

Senator Silverthorn moved that the memorial be indefinitely postponed.



The ayes and noes being called, the motion was lost by the following vote :

Ayes—Senators Barney, R. E. Davis, Eastman, Hudd, Mitchell, Reed, Ryan, Silverthorn, and Wilmot—9.

Nays—Senators Baker, Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Nevins, Rounds, Schuette, Scott, Treat, and Welch—19.

Senator Silverthorn offered the following amendment:

Amend the memorial by striking out the whole of the last paragraph, commencing on page 4, and insert in lieu thereof the following:

Your memorialists further represent that in the county of Douglas, at said election, Mr. McDill received 109 votes, and Mr. Cate received 40 votes, but that in a contest for the office of county clerk of that county, in the case of the State of Wisconsin ex. rel., Vincent Cournoyer against Richard Relf, the court found the following facts, and rendered the following decision, viz:

DECISION OF JUDGE CLOUGH IN THE RELF-COURNOYER CASE.

Circuit Court, Douglas County, State of Wisconsin, ex. rel.

Vincent Cournoyer, plaintiff, against Richard Relf, defendant.

A jury trial having been duly waived in this action, and the same having been tried by the court without a jury, at a term of the circuit court begun and held in the county of Douglas, on the third Monday of June, A. D., 1875, and having heard and considered the allegations and proofs of the respective parties, and the argument of their respective counsel, I do find and decide as

*Facts.*

1. That at the general election, held on the 5th day of November, A. D., 1872, in the town of Superior, (then and still the only town in Douglas county,) Richard Relf, the defendant, was, by a majority of the legal votes cast at said election for county clerk of Douglas county, elected such county clerk, for the term of two years, commencing on the first Monday of January, A. D. 1873, and thereupon the said Relf duly made and filed his official bond and oath of office in the office of the county treasurer of said county, and during all said term, and hitherto during all the time since the expiration of said two years, has been in possession, and has discharged the duties of said office.

2. That on the third day of November, A. D. 1874, at an election held in the town of Superior, in the county of Douglas (said town being the only town of said county,) as and for the general election for electing county and State officers, the whole number of votes given for county clerk was 147, of which number the relator, Vincent Cournoyer, received 81, and Richard Relf 66. Said election was held at the time and place and in the presence and under the direction of the officers provided by law in the case of general elections.

3. That on the 6th day of November, A. D. 1874, the county clerk of Douglas county delivered to said Cournoyer, in manner and

form as stated in the complaint, a certificate of his election to said office of county clerk.

4. Afterward, on the 10th day of November, 1874, the said Cournoyer duly executed as and for his official bond, the bond set forth in the complaint, and conditioned as in the complaint stated, which bond was approved as stated in the complaint. And on the 20th day of November, 1874, the said Cournoyer filed in the office of the county treasurer of Douglas county the said bond, together with his, the said Cournoyer's, oath to the effect stated in the complaint, as and for his official oath.

5. On the first Monday, the fourth day of January, A. D. 1875, the said Cournoyer, at the office of the county clerk, in the courthouse of the county of Douglas, demanded of and from the said Richard Relf the possession of said office, and of all the books, records and papers thereto pertaining, and demanded that the said Relf surrender the same to him, the said Cournoyer, as the said Relf's successor in said office. And the said Relf then and there refused to comply with the said demands or any of them.

6. That there was no meeting of any inspectors of election as a board of registry for the town of Superior, (the same composing one election-district,) held in said town on the Tuesday three weeks preceding the said election of November 3d, 1874, and no lists of any persons, qualified and entitled to vote at the said general election of November 3, 1874, was made by the said inspectors or by the said board of any such meeting.

7. That no meeting was held in said town by said inspectors, or any board of registry therein, on Tuesday of the week preceding said general election at the place designated for holding the polls of election, for the purpose of revising, correcting, and completing any such list, and no such list was revised, corrected or completed at any such meeting, and none of the persons who voted at such election did furnish the board of inspectors any affidavit in writing, giving his reasons for not appearing on the day for correcting the alphabetical list, nor prove by the oath of a householder of the district in which such election was held, that such householder knew such person so voting or offering to vote, to be an inhabitant of such district.

8. The relator, Vincent Cournoyer, was born in the United States, has been a resident of the county of Douglas for more than nineteen years last past, is about twenty-four years old, is a civilized person, and is not a member of any tribe of Indians. His father is a white man, his mother is a mixed blood half-breed, of the Chippewa Indians.

And I further find and decide as conclusions of law:

1. That the relator, Vincent Cournoyer, is a citizen of the State of Wisconsin, and a legal elector of the town of Superior, in the county of Douglas, and eligible to the office of county clerk in said county.

2. That the said election so held in the town of Superior, as and for the general election on the 3d day of November, A. D. 1874, was null and void, because no registry or list of persons qualified



and entitled to vote was made, as required by law, for the purposes of said general election, and no affidavit or proof was furnished as hereinbefore stated.

3. That the defendant is entitled to the office of county clerk of Douglas county, and to hold the same until his successor is elected, or appointed, and qualified.

4. That the relator, Vincent Cournoyer, is not entitled to the said office.

5. That the defendant is entitled to a judgment in this action, declaring and establishing his right and title to said office, and that the said relator is not entitled to the same, and for the recovery of his costs and disbursements.

S. H. CLOUGH,  
*Circuit Judge.*

Dated, July 10, 1875.

So that it will appear therefrom that the votes in the county of Douglas, at said election, which were counted in said election, should not be counted therein.

Senator Hudd moved that further consideration of the memorial and pending amendment, be postponed until 11 a. m. of Wednesday next.

The motion prevailed.

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#### LEAVES OF ABSENCE.

Senator Ryan asked leave of absence for Senator McFarland until Monday evening.

Leave was granted.

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#### REPORTS OF COMMITTEES.

The Committee on Claims, to whom was referred

Mem. No. 11, S.,

Petition for Conrad Krez for service as Colonel 27th Regiment, Wisconsin Volunteers.

Memorial of Wm. P. Stowe, account against State of Wisconsin for services as chaplain of 27th Regiment Wisconsin Volunteers.

Report the same back, and recommend that they be spread on the journal.

FRANCIS CAMPBELL,  
*Chairman.*

So ordered.

*To the Honorable the Senate and Assembly of the State of Wisconsin:*

GENTLEMEN:—The petition of Conrad Krez, of the city of Sheboygan, respectfully shows, that on the 2d day of September, 1862, he was commissioned by the Governor of the State, colonel of 27th regiment Wisconsin volunteers, without his applying for said office. From that day he was in the service of this State, executing the orders of its Governor, and discharging the duties of said office until March 7, 1863, when he was mustered in the service of the United States. He was not sooner mustered into such service, because his regiment had not the requisite number of men, and the regiment fell short of that number because several squads of men had failed to report, notwithstanding the orders of the Governor, for the reason that towns for which they had enlisted failed to pay the bounties promised by those who recruited them. At the time your petitioner accepted said commission of colonel, the full number of men had been assigned, or were ready to be assigned, to him by the Governor, and he had a right to expect his immediate muster in, but on account of the failure of said men to report, his muster was delayed until the 7th day of March, 1863, when the regiment was full; and he received no pay under his commission of colonel for the time which elapsed between the 2d day of September, 1862, and March 7, 1863. Under a commission, however, of post-commandant he received five dollars per day from September 17, 1862, to March 7, 1863.

Your petitioner claims, that he is justly entitled from the State, in whose sole service he was, to full pay and allowances of colonel for 186 days, from September 2, 1862, to March 7, 1863. The full pay of colonel of infantry was \$198 a month, after deducting the allowance for forage, which was furnished in kind. The State, however, should be credited for 171 days with the \$5 daily pay on said commission as post-commandant. Reckoning the daily pay allowances of colonel at six dollars and sixty cents, and deducting the amount received as post-commandant, there is due to your petitioner fifteen day's full pay, and one dollar and sixty cents difference between colonel's pay and pay received as post-commandant for 171 days; making a total of \$372.60 due; as will more particularly appear by the verified account annexed.

Your petitioner further shows, that this claim was allowed by the Senate, at their session of 1870, by bill No. 94, but was indefinitely postponed by the Assembly without just reason, as your petitioner believes.

As your petitioner believes that the State of Wisconsin is not only able but willing to pay what it owes, not only to creditors who hold bonds under the seal of the State, but also to its simple citizens, who, in performing service for the same, have no other security than the sense of justice in their legislators, he respectfully asks you to allow the accompanying account and pay it in the same manner as other debtors are required to pay their debts, namely, with interest thereon from the time it was due.

Your humble servant,

CONRAD KREZ.



*To the Honorable, the Senate and Assembly of the State of Wisconsin:*

The undersigned would respectfully represent that on the 27th of October, 1862, he was commissioned by the Governor of Wisconsin chaplain of the 27th Regiment of Wisconsin Volunteers, with rank from the 23d of that month.

That on the last mentioned date he had entered upon the duties of that office at Camp Washburn, Milwaukee; that a sufficient number of enlisted men had been assigned by the Governor to said regiment, so as to entitle him to an immediate muster, but that some of the squads so assigned failed to report to camp as they were ordered, because, as your petitioner is informed, the towns where they enlisted failed or refused to pay the promised bounties, and the Governor was unable at the time to furnish others in their stead, but it now seemed apparent that the enforcement of the draft, already ordered, would very soon fill up the regiment, but in consequence of the frequent delays in the draft by the State authorities, and the unpleasant circumstances and delay in effecting the same and securing those drafted, the regimental organization was left incomplete until March 7, 1863, and that the rules and regulations of the United States army do not entitle the chaplain to muster until the completion of the regimental organization.

Your petitioner would further state that he was constantly on duty as chaplain, and was under orders of the Governor of the State of Wisconsin from the said 23d day of October, 1862, until March 7, 1863, and that in addition to the regular duties as chaplain of the regiment, he was detailed as regimental post-master, and furnished a horse and transported the mail from the post-office, in Milwaukee, to Camp Washburn, a distance of three miles, daily; that by personal effort he procured a very respectable library for the use of the soldiers, and for the services above mentioned he has never received pay for any part thereof, and believing the same to be a just and equitable claim against the State of Wisconsin, he prays your honorable body to pass a bill granting him relief.

Very respectfully.

WM. P. STOWE.

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MADISON, Jan. 20, 1876.

STATE OF WISCONSIN,

To WILLIAM P. STOWE, DR.

To four and one-half months' service as chaplain of the  
27th Reg't Wis. Vols., from Oct. 23, 1862, to Mar. 7, 1863, \$527 00  
And interest from March 7, 1863.

STATE OF WISCONSIN, Dane County, ss:

Wm. P. Stowe being duly sworn, deposes and says that the above account accrued as stated in the annexed petition, by him sub-

scribed, that the same is a just claim against the State, as he is advised and verily believes, and has not been paid.

W. P. STOWE.

Subscribed and sworn before me, this 20th day of January, 1876.

WM. P. LYON,

*Associate Justice Supreme Court.*

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On motion of Senator Flint,

The vote by which the Senate refused to order the engrossment of No. 26, S.,

Was reconsidered, and further consideration of the bill postponed until Tuesday next.

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On motion of Senator Welch,

The Senate adjourned.

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FRIDAY, JANUARY 28, 1876.

10 O'CLOCK A. M.

The Senate met,

The President pro tem. in the chair.

Prayer by the Rev. C. H. Richards.

The roll was called and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Treat, Welch, and Wilmot.

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#### MEMORIALS PRESENTED AND REFERRED.

By Senator Bryant:

Mem. No. 29, S.,

Of Francis Massing, in reference to a catalogue for the State library.

To Committee on Judiciary.

By Senator Blair:

Mem. No. 30, S.,

Of the managers of the Industrial School for Boys, for an appropriation of \$15,000, to enable them to provide suitable employment for their inmates.

To Committee on Charitable and Penal Institutions. And ordered printed.

By Senator Mitchell:

Mem. No. 31, S.,

Of D. H. Johnson, and 46 other citizens, of Milwaukee, for increased appropriation to the State Historical Society.

To Committee on Claims.

## RESOLUTIONS INTRODUCED.

By Senator Douglas:

Res. No. 19, S.,

Requesting Railroad Commissioners to furnish a statement relative to lumber consumption in the State of Wisconsin.

*Resolved*, That the Railroad Commissioners are requested to furnish the Senate, as soon as they can do so, a brief statement of the average distance or center of lumber consumption in the State of Wisconsin, from mills situated on railroads within the State, or from shipping-ports on Lake Michigan, or in other words, to furnish the Senate an estimate of the average number of miles which each car-load of lumber used in the State is hauled by the railroads within the State. And they are also requested to inform the Senate of the rate per ton per mile now allowed by law on lumber for such average distance, and also whether such lumber is loaded and unloaded at the cost of the railroads, or at the cost of the owner.

On motion of Senator Douglas,

The rules were suspended, and the resolution was adopted.

By Senator Welch:

Res. No. 20, S.,

Requesting Railroad Commissioners to furnish a copy of financial circular of the Chicago & Northwestern Railway Company.

*Resolved*, That the Railroad Commissioners are requested to furnish the Senate a copy of the financial circular issued by the Chicago & Northwestern Railway Company in the city of New York, and signed by the treasurer of said company, said circular bearing date on or about July 21, 1875.

On motion of Senator Welch,

The rules were suspended, and the resolution was adopted.

By Senator Welch:

Res. No. 21, S.,

Requesting Railroad Commissioners to furnish information relative to railroad revenues.

*Resolved*, That the Railroad Commissioners are requested to inform the Senate of the average gross revenues per ton per mile, in such year for the last five annual reports of the Milwaukee and St. Paul Railway, on all classes and kinds of cheap and dear freights carried from Prairie du Chien to Milwaukee; and also from La Crosse to Milwaukee; and also to furnish the Senate with the rate per ton per mile now allowed by law on car-load lots of grain and flour carried from the now competing stations of Boscobel to Milwaukee, and West Salem to Milwaukee.

On motion of Senator Welch,

The rules were suspended, and the resolution was adopted.

## MEMORIALS TO CONGRESS PRESENTED AND REFERRED.

By Senator Hiner:

M. C. No. 8, S.,

For an increased appropriation for the extension of the signal service.

To Committee on Federal Relations.

By Senator Barron:

M. C. No. 9, S.,

For an appropriation to improve the navigation of the St. Croix River.

To Committee on Federal Relations.

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BILLS INTRODUCED.

Read first and second times and referred.

By Senator Bryant:

No. 71, S.,

A bill to provide for the enlargement of the Wisconsin State Hospital for the Insane.

To Committee on Charitable and Penal Institutions.

By Senator Ryan:

No. 72, S.,

A bill to amend chapter 152, of the general laws of 1872, entitled "an act to authorize the county boards of supervisors in the several counties of this State to levy a special tax for county road purposes."

To Committee on Judiciary.

By Senator Barron:

No. 73, S.,

A bill to authorize John A. Jacobs to erect and maintain a dam in Burnett county.

To Committee on Judiciary.

By Senator Barron:

No. 74, S.,

A bill to prevent the hunting of deer with dogs, in the county of Burnett.

To Committee on State Affairs.

By Senator Barron:

No. 75, S.,

A bill in relation to attorneys' fees, in justice court.

To Committee on Judiciary.

By Senator Hudd:

No. 76, S.,

A bill to authorize the construction of a pontoon bridge or railway ferry from some feasible point in Buffalo county, State of Wisconsin, to some feasible point in the State of Minnesota.

To Committee on Railroads.



By Senator Mitchell:

No. 77, S.,

A bill to appropriate to the Wisconsin Seaman's Friend Society, of Milwaukee, a sum of money therein named.

To Committee on Charitable and Penal Institutions.

By Senator Mitchell:

No. 78, S.,

A bill to appropriate to the St. Mary's Hospital, of Milwaukee, a sum of money therein named.

To Committee on Charitable and Penal Institutions.

By Senator Mitchell:

No. 79, S.,

A bill to appropriate to the Passavant Hospital, of Milwaukee, a sum of money therein named.

To Committee on Charitable and Penal Institutions.

By Senator Mitchell:

No. 80, S.,

A bill to appropriate to the St. Joseph's Orphan Asylum, of Milwaukee, a sum of money therein named.

To Committee on Charitable and Penal Institutions.

By Senator Mitchell:

No. 81, S.,

A bill to appropriate to the St. Emelianus Orphan Asylum, of Milwaukee, a sum of money therein named.

To Committee on Charitable and Penal Institutions.

By Senator Mitchell:

No. 82, S.,

A bill to appropriate to the Home of the Friendless, of Milwaukee, a sum of money therein named.

To Committee on Charitable and Penal Institutions.

By Senator Mitchell:

No. 83, S.,

A bill to appropriate to the St. Rose Orphan Asylum, of Milwaukee, a sum of money therein named.

To Committee on Charitable and Penal Institutions.

By Senator Mitchell:

No. 84, S.,

A bill to appropriate to the Orphan's Association, of Milwaukee, a sum of money therein named.

To Committee on Charitable and Penal Institutions.

By Senator Mitchell:

No. 85, S.,

A bill to appropriate to the Milwaukee Hospital, of Milwaukee, a sum of money therein named.

To Committee on Charitable and Penal Institutions.

By Senator Hiner:

No. 86, S.,

A bill to appropriate a sum of money therein named to the Fond

du Lac Relief Society for the maintenance of a Home for the Friendless.

To Committee on Charitable and Penal Institutions.

By Senator Hudd:

No. 87, S.,

A bill to appropriate to the Cadle Home, of Green Bay, five hundred dollars.

To Committee on Charitable and Penal Institutions.

By Senator Baker:

No. 88, S.,

A bill to appropriate to St. Luke's Hospital, of Racine, five hundred dollars.

To Committee on Charitable and Penal Institutions.

By Senator Reed:

No. 89, S.,

A bill to provide for acquiring title to certain pieces of land within the grounds of the Wisconsin State Hospital for the Insane.

To Committee on Charitable and Penal Institutions.

By Senator Treat:

No. 90, S.,

A bill to amend chapter 343, of the private and local laws of 1870, entitled "an act to amend chapter 140, of the private and local laws of 1859, entitled 'an act to amend an act entitled an act to incorporate the village of Monroe, and the acts amendatory thereof.'"

To Committee on State Affairs.

By Senator Schuette:

No. 91, S.,

A bill to appropriate a sum of money to the St. Nazian Society, of Manitowoc.

To Committee on Charitable and Penal Institutions.

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## REPORTS OF COMMITTEES.

The Committee on Claims, to whom was referred,

No. 53, S.,

A bill to appropriate to Fred. A. Dennett and R. M. Strong, the sum of fifty dollars each.

Report the same back, and recommend that it do pass.

FRANCIS CAMPBELL.

*Chairman.*

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The Committee on the Judiciary to which was referred,

No. 49, S.,

A bill relating to registration of electors, and amendatory of section 1, of chapter 232, of the general laws of 1875.

No. 48, S.,

A bill to provide for the appointment of phonographic reporters for the circuit court of Oconto county.

No. 40, S.,

A bill to authorize and require the county clerk of the county of Burnett to make and keep up an abstract of tax sales.

Has had the same under consideration, and instructed me to report them back with certain amendments, and recommend that, when so amended, they pass.

H. D. BARRON,  
*Chairman.*

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The Committee on Engrossed Bills have examined, and find correctly engrossed, the following bills:

No. 13, S.,

A bill to lay out and establish a State road from Wausau to Shawano.

No. 10, S.,

A bill relating to highways and amendatory to section 1, of chapter 130, general laws of 1867.

M. C., No. 1, S.,

Memorial to Congress for the establishment of a daily mail route between Marine mills, Washington county, Minnesota, via Farmington Center, to Osceola Mills, Polk county, Wisconsin.

M. C., No. 2, S.,

Memorial to Congress for increased mail facilities in the counties of Green Lake and Waushara.

Jt. Res. No. 5, S.,

Pertaining to a consolidated official Centennial directory of the government of the United States for the year A. D. 1876.

No. 6, S.,

To authorize town insurance companies to insure real and personal property in any town, and adjoining towns, in the same county where such insurance companies may be located, and to legalize such insurance heretofore made.

No. 37, S.,

To appropriate to State Board of Centennial Managers a sum of money.

D. E. WELCH,  
*Chairman.*

Said bill No. 37, S., was referred to the Committee on Claims.

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The Railroad Committee has had under consideration

No. 50, S.,

A bill to amend chapter 208, of the laws of 1875, entitled, "an

act in relation to the Wisconsin Railroad Farm-Mortgage Land Company," and instruct me to report the same back with the recommendation that it be passed.

W. H. HINER,  
*Chairman.*

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The Committee on Agriculture, to whom was referred  
No. 62, S.,

A bill relating to the preservation of fish in Silver Lake and Fish Lake, and the waters connecting them, in the county of Waushara,

Respectfully report that they have had the same under consideration, and instruct me to report the same back to the Senate with the recommendation that it do pass.

L. W. BARDEN,  
*Chairman.*

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The Committee on Privilege and Elections, to whom was referred the petition of Col. Reuben May, contesting the right of the Hon. J. Henry Tate to the seat as Senator of the fourth district, and to be admitted himself to such seat, together with the testimony, depositions, &c., relating thereto.

Have had the same under consideration, and have directed me to report that they have carefully and fully examined all the documents submitted to them, and heard the arguments of counsel relating to the matter of such petition. And after such examination they are of the opinion that of the legal votes cast in the 4th Senate District, at the election held on the 2nd day of November, 1875, for the office of State Senator, J. Henry Tate received a majority of said votes, and is entitled to retain and hold his seat in this body, as such Senator, and that Reuben May is not entitled to such seat.

In accordance with such opinion, your committee submit and recommend the adoption of the following resolution:

*Resolved by the Senate,* That J. Henry Tate, having been duly elected, is entitled to retain and hold his seat in this body as Senator from the 4th district.

And your committee would further report that the contestant, Reuben May, requests to be heard upon the floor of the Senate in reference to this contest.

And your committee, upon the request of the contestant, recommends that all the evidence and documents relative to this contest be printed.

A. FARR,  
*Chairman.*

Said resolution became No. 22, S.

Senator Silverthorn moved that the papers and evidence relating to said case be printed.

The motion was lost.

The Committee on Enrolled Bills have examined and find correctly enrolled the following bill:

Jt. Res. No. 9, S.,

Instructing and requesting our Senators and Representatives in Congress to oppose a certain bill in Congress.

No. 38, S.,

A bill relating to Racine College, and amendatory of section 4, of chapter 65, of the private and local laws of 1852, as amended by chapter 28 of the private and local laws of 1861.

R. J. FLINT,  
*Chairman.*

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The Committee on Claims, to whom was referred.

No. 19, S.,

A bill to appropriate a sum of money therein named, for the use of the Industrial School for Boys, and for the payment of current expenses and pay indebtedness and complete barn.

No. 17, S.,

A bill to appropriate a sum of money therein named, for the use of the Institution for the Education of Deaf and Dumb, for the payment of current expenses for the year ending March 1, 1877, and for permanent improvements.

No. 16, S.,

A bill to appropriate a sum of money therein named, for the use of the Institute for the Education of the Blind, for current expenses for the year 1876.

No. 33, S.,

A bill to appropriate a sum of money therein named, for the payment of pensions to soldiers' orphans, as provided in chapter 72, laws 1874, for the year 1876.

Have amended the same, and report them back, and recommend that they do pass when so amended.

FRANCIS CAMPBELL.  
*Chairman.*

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The Committee on Internal Improvements, to whom was referred bill

No. 5, S.,

A bill to authorize and empower Leonard Guenther to erect and maintain a system of piers and booms on the Wisconsin River, in the town of Knowlton, Marathon county.

Respectfully report the same back to the Senate, without amendment, and recommend that it do pass.

J. B. TREAT,  
*Chairman.*

The Committee on Federal Relations, have had under consideration,

M. C., No. 4, S., M. C., No. 7, S., M. C., No. 5, S., M. C., No. 6, S., and memorial of S. D. Carpenter, and have instructed me to report the same back with a recommendation that they be adopted.

GEO. E. BRYANT,  
*Chairman.*

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The Committee on State Affairs, to whom was referred

Jt. Res. No. 4, A.,

Relating to the reception of bills,

Respectfully report that they have had the same under consideration, and instructed me to report the same back to the Senate with the recommendation that it do pass.

L. W. BARDEN,  
*Chairman.*

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The question being on concurring with the Assembly in the adoption of the resolution,

Senator Hiner moved to amend by adding thereto the following: "Except that committees may report upon matters referred to them previous to that time by either branch of the legislature."

Senator R. E. Davis moved that the resolution and pending amendment be referred to a select committee of Senators Hiner, Baker, and H. N. Davis, and that it be made the special order for Tuesday, February 1, at 11 o'clock.

Which motion prevailed.

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### EXECUTIVE MESSAGE.

STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,  
*MADISON, January 28, 1876.*

*To the Honorable, the Senate:*

Pursuant to the provisions of chapter 193, laws of 1873, I hereby nominate and appoint, subject to the approval of your honorable body, George W. Burchard as a director of the State Prison, to hold for the term of six years from the first day of January, 1876, *vice* Joel Rich, term expired.

H. LUDINGTON,  
*Governor.*

Referred to Committee on State Prison.

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STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,  
*MADISON, January 27, 1876.*

*To the honorable, the Senate:*

I have received a copy of Senate Resolution No. 15, requesting

me "to inform the Senate by what authority and under what law, if any, the agents of the State, or either of them, appointed by the Governor to protect the timber growing on the lands granted by the State to the St. Croix and Lake Superior Railroad Company, have sold to homesteaders, settlers, and loggers, in Barron, Burnett, Polk, or any other county in the State, permits to cut grass on said lands for hay, and also requesting me to inform your honorable body, "whether the reports or accounts of said agents on file in this office show that any permits have been sold or money received therefor."

In reply, I know of no such provisions of law authorizing said agents of the State to sell permits to cut grass on said lands, or to forbid persons to cut the same without first paying therefor. The records of the executive office do not show that any instructions for such purpose have been given, and the reports and accounts of the several State agents, on file, do not show that any such permits have been sold, or that any moneys have been received, or paid, or deposited with the State Treasurer.

H. LUDINGTON,  
*Governor.*

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk, thereof:

MR. PRESIDENT:—I am directed to present you for signature,  
No. 38, S.,

A bill relating to Racine College, and amendatory of section 4, of chapter 65, of the private and local laws of 1852, as amended by chapter 28, of the private and local laws of 1861.

The same having been signed by the Speaker.

Said bill was signed by the President.

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On motion of Senator Barron,  
The Senate resolved itself into a

#### COMMITTEE OF THE WHOLE

On the Revision of the Joint Rules.

Senator Hudd in the chair.

After sometime spent therein, the committee rose, and through their chairman reported as follows:

MR. PRESIDENT:—The Senate in Committee of the Whole, has had under consideration the report of the Joint Select Committee on the Joint Rules of the Senate and Assembly, and have gone through with the same, and report them back with sundry amendments.

The amendments reported by the committee were adopted, and the rules as thus amended were adopted by the Senate.

## SENATE BILLS ON THEIR THIRD READING.

M. C. No. 1, S.,

Memorial to Congress for the establishment of a daily mail route between Marine Mills, Washington county, Minnesota, *via* Farmington Center, to Osceola Mills, Polk county, Wisconsin.

M. C. No. 2, S.,

Memorial to Congress for increased mail facilities in the counties of Green Lake and Waushara.

No. 6, S.,

A bill to authorize town insurance companies to insure real and personal property in any town, and adjoining towns, in the same county where such insurance companies may be located, and to legalize such insurance heretofore made.

No. 10, S.

A bill relating to highways and amendatory to section 1, of chapter 130, general laws of 1867.

Were read a third time and passed.

Jt. Res. No. 5, S.,

Pertaining to a consolidated official centennial directory of the government of the United States, for the year A. D. 1876.

Was adopted.

No. 14, S.,

A bill to amend section 1, of chapter 306, of the general laws of 1875, entitled "an act to transfer the Soldiers' Orphans' Home to the custody of the regents of the State University."

Was, on motion of Senator Barron, laid aside until Monday next.

No. 13, S.,

A bill to lay out and establish a State road from Wausau to Shawano.

Senator Silverthorn asked unanimous consent to offer the following amendment:

Amend section 1, by striking out the names of J. D. Kast, and Herman Klebesattel, and insert in lieu thereof the names of H. M. Loomer, and Wm. Wolf.

Leave was given, and said amendment was adopted, and the bill, as then amended, was passed.

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BILLS READ FOR ENGROSSMENT.

M. C. No. 4, S.,

Relating to increased mail facilities in the northern portion of Sauk county.

M. C. No. 5, S.,

For an increase of mail service from Durand to Pepin, in Pepin county.

M. C. No. 6, S.,

For an appropriation to improve the navigation of the Chippewa River.



M. C. No. 7, S.,

For the establishment of a mail-route from Wausau to Colby, *via* Stettin, Marathon, and Wien.

No. 5, S.,

A bill to authorize and empower Leonard Guenther to erect and maintain a system of piers and booms on the Wisconsin River, in the town of Knowlton, Marathon county.

No. 8, S.,

A bill relating to the assessment of property for taxation, to repeal chapter 120, of the general laws of 1871, and to revive, restore, and re-enact section 4, of chapter 27, of the general laws of 1871.

No. 33, S.,

A bill to appropriate a sum of money therein named for the payment of pensions to soldiers' orphans, as provided in chapter 72, laws of 1874, for the year 1876.

No. 46, S.,

A bill to provide for the payment of the stationery of the legislative reporters.

No. 47, S.,

A bill to provide for the hearing and decision of motions and making of orders in certain cases in civil actions.

No. 50, S.,

A bill to amend chapter 208, of laws of 1875, entitled "an act in relation to the Wisconsin Railroad Farm-Mortgage Land Company."

No 52, S.,

A bill to amend section 4, of chapter 430, of the private and local laws of 1868, entitled, "an act to incorporate the Apple River Log-Driving Company."

No. 53, S.,

A bill to appropriate to Fred. A. Dennett, and R. M. Strong, the sum of fifty dollars each.

Were ordered engrossed, and read a third time.

No. 9, S.,

A bill relating to the preservation of game and amendatory of section 1, of chapter 139, of the general laws of 1875, entitled, an act to amend section 3, of chapter 78, of the general laws of 1867, entitled an act for the preservation of game.

No. 28, S.,

A bill to amend chapter 22, of the laws of 1875, entitled, "An act to amend chapter 136, laws of 1874, entitled, 'An act for the preservation of fish in Dell Creek.'"

No. 62, S.,

A bill relating to the preservation of fish in Silver Lake and Fish Lake, and the waters connecting them, in the county of Waushara.

Were referred to the Committee on State Affairs.

The amendments reported to

No. 16, S.,

A bill to appropriate a sum of money therein named for the use of the Institute for Education of the Blind, for the payment of current expenses.

No. 17, S.,

A bill to appropriate a sum of money therein named, for the use of the Institute for the Education of the Deaf and Dumb, for the payment of current expenses for the year ending March 1, 1877, and for permanent improvements.

No. 19, S.,

A bill to appropriate a sum of money therein named for the use of the Industrial School for Boys, for the payment of current expenses, to pay indebtedness, and complete barn.

No. 40, S.,

A bill to authorize and require the county clerk of the county of Burnett to make and keep up an abstract of tax sales.

No. 48, S.,

A bill to provide for the appointment of phonographic reporters for the circuit court of Oconto county.

No. 49, S.,

A bill relating to registration of electors, and amendatory of section 1, of chapter 232, of the general laws of 1875.

Were severally adopted, and the bills ordered engrossed for a third reading.

Mem. No. No. 4, S.,

Of S. D. Carpenter, and others in reference to sinking fund, was on motion of Senator H. N. Davis, made the special order for Thursday next, at eleven o'clock.

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#### LEAVES OF ABSENCE.

Leaves of absence were granted,

To Senators Tate, Treat, and the Sergeant-at-Arms, until Monday evening.

To Senators Scott, and Downs, until Tuesday morning.

To Senator Hathaway, until Tuesday evening.

And Senator Silverthorn, until Tuesday morning.

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On motion of Senator Farr,

The Senate adjourned.

SATURDAY, JANUARY 29, 1876.

10 O'CLOCK, A. M.

The Senate met,  
The Lieutenant-Governor presiding.  
On motion of Senator Barron,  
The calling of the roll was dispensed with.

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LEAVES OF ABSENCE.

Leave was granted to Senators Nevins and Wilmot until Tuesday morning.

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Senator Reed moved that when the Senate do adjourn it adjourn until 7:30 Monday evening.  
The motion prevailed.

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MEMORIALS PRESENTED AND REFERRED.

By Senator Hiner:

Mem. No. 32, S.,

Of David Taylor, M. D. Moon, C. H. Benton, and 24 others, for an increase of the annual appropriation for the State Historical Society.

To Committee on Claims.

By Senator Barron:

Mem. No. 33, S.,

Of the officers of the State Historical Society.

To Committee on Claims, and ordered spread on the journal.

*To the honorable, the legislature of the State of Wisconsin:*

Your petitioners, officers of the State Historical Society, respectfully represent: The State has made the book collection of the State Historical Society of Wisconsin, now numbering 65,000 volumes, for all practical purposes, the State library—absolutely so, in all things, save in works pertaining to law. The Society is faithfully collecting files of nearly all the newspapers of the State, filled with thousands of legal notices which it is important to preserve for possible evidence in our higher courts of judicature; and, moreover, taking especial pains to collect from other States all documents bearing upon topics of legislation and humane institutions, to aid legislative committees, our Board of Charities, Railroad Commissioners, and members of the State Geological Survey. In these departments, all so important to the best interests of the State, it is

altogether probable that no other State in the Union has preserved records so full and so valuable.

The library of the Society has come to be recognized as a most important adjunct to the State University, furnishing facilities of investigation to the Board of Instruction, and especially to the students in preparing for their exercises in debate and composition, and for much of their general reading—embracing a collection of books, which, for their variety and character are excelled but by few of the higher literary institutions of the country.

With the Society's best intentions, it has been impossible to supply but a small part of the works inquired for; or to bind up for ready reference but a very small portion of our thirty-two thousand pamphlets, our newspaper files, our magazines, and books unbound or in ancient broken binding.

The Society's library and collections are the pride of the State, and well deserve the fostering care of the legislature. We heartily unite in asking the further appropriation of \$1,500 a year to the Society to enable its board of managers, (of whom the Governor, Secretary of State, and State Treasurer are *ex-officio* members,) to meet the more pressing demands constantly made for increased means of literary, scientific, and useful investigation. The sum asked will never be grudged by our people for so worthy an object; for it would amount to only one cent to every eight of our population, or an increase of a cent to every \$4.34 of the State-tax, according to last year's apportionment. And, as in duty bound, will ever pray.

ALEX. MITCHELL,

*President State Historical Society.*

SAMUEL MARSHALL,

*Vice-President State Historical Society.*

HARLOW S. ORTON,

*Vice-President State Historical Society.*

C. C. WASHBURN,

*Vice-President State Historical Society.*

PETER DOYLE,

*Secretary of State.*

FERD. KUEHN,

*State Treasurer.*

LYMAN C. DRAPER.

DANIEL S. DURRIE.

JOHN D. GURNEE.

DAVID ATWOOD.

JAMES D. BUTLER.

N. B. VAN SLYKE.

A. H. MAIN.

FRANK H. FIRMIN.

ANDREW PROUDFIT.

M. E. FULLER.

SIMEON MILLS.

S. U. PINNEY.

CHANDLER P. CHAPMAN.

THOMAS REYNOLDS.

J. B. PARKINSON.

H. A. TENNEY.

GEO. B. SMITH.

O. M. CONOVER.

JAMES ROSS.

A. B. BRALEY.

S. D. CARPENTER.

E. W. KEYES.

JOSEPH HOBBS, M. D.

ISAAC LYON.

## BILLS INTRODUCED.

Read first and second times and referred.

By Senator Barron :

No. 92, S.,

A bill to authorize the taking of fish in the public waters of the State, for the purposes of artificial propagation.

To Committee on State Affairs.

By Senator Barron :

No. 93, S.,

A bill to repeal chapter 348, of the laws of Wisconsin of 1874, entitled, "an act to amend chapter 46, of the general laws of 1869, entitled, 'an act to protect the lands and timber granted to the St. Croix and Lake Superior Railroad Company.'"

To Committee on Judiciary.

By Senator Barron :

No. 94, S.,

A bill to appropriate a certain sum to the State Historical Society.

To Committee on Claims.

By Senator Potter ;

No. 95, S.,

A bill relating to county agricultural societies, and to appropriate a sum of money therein named.

To Committee on Agriculture.

By Senator Barron :

No. 96, S.,

A bill to provide for proving claims in justice court.

To Committee on Judiciary.

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### REPORTS OF COMMITTEES.

The Committee on Engrossed Bills have examined and find correctly engrossed the following bills:

No. 8, S.,

Relating to the assessment of property for taxation, to repeal chapter 120, of the general laws of 1871, and to revive, restore, and re-enact section 4, of chapter 27, of the general laws of 1871.

No. 16, S.,

To appropriate a sum of money therein named, for the use of the Institution for the Education of the Blind, for the payment of current expenses.

No. 17, S.,

To appropriate a sum of money for the use of the Institute for the Education of the Deaf and Dumb, for the payment of current expenses for the year ending March 1, 1877, and for permanent improvement.

No. 33, S.,

To appropriate a sum of money therein named, for the payment of pensions to soldiers' orphans, as provided in chapter 72, laws of 1874, for the year 1876.

No. 47, S.,

A bill to provide for the hearing and decision of motions, and making of orders in certain cases in civil actions.

No. 50, S.,

A bill to amend chapter 208, of laws of 1875, entitled an act in relation to the Wisconsin Farm-Mortgage Land Company.

No. 52, S.,

A bill to amend section four (4), of chapter 430, of the private and local laws of 1868, entitled an act to incorporate the Apple River Log-Driving Company.

No. 53, S.,

A bill to appropriate to Fred A. Dennett and R. M. Strong the sum of fifty dollars each.

D. E. WELCH,  
*Chairman.*

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The Committee on State Prison, to whom was referred the nomination and appointment, by his excellency, the Governor, of George W. Burchard as a director of the State Prison, \*

Beg leave to report they have had the same under consideration, and recommend that said nomination and appointment be approved.

O. C. HATHAWAY,  
*Chairman.*

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On motion of Senator Baker,

Action on the above report was postponed until Monday evening next.

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The Committee on the Judiciary, to which was referred,

No. 22, S.,

A bill to repeal chapter 43, general laws of 1875, entitled "an act to amend section 65, of chapter 18, of the revised statutes, entitled 'of the assessment and collection of taxes.'"

No. 25, S.,

A bill constituting the clerk of the circuit court of the county of Waukesha *ex-officio* clerk of the county court.

No. 21, S.,

A bill authorizing the circuit court of the 6th judicial circuit to admit Archie M. Stevenson to act as an attorney in the circuit courts of this State,

Have had the same under consideration, and instructed me to report them back, with the recommendation that they be indefinitely postponed, Senator Barron dissenting from so much of the report as relates to No. 22, S.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,

No. 58, S.,

A bill to amend section 1, of chapter 46, of the general laws of 1869, entitled "an act to protect the lands, and timber thereon, granted to the St. Croix and Lake Superior Railroad Company."

Has had the same under consideration, and instructed me to report it back with the recommendation that it pass.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,  
Mem. No. 28, S.,

Remonstrance of H. J. Goddard, Geo. C. Ginty, and 52 other citizens of Chippewa county, against the passage of any bill to authorize the construction of a dam or dams across the Chippewa River below the head of navigation.

Has had the same under consideration, and instructed me to report it back with the recommendation that it be referred to the Committee on Incorporations.

H. D. BARRON,  
*Chairman.*

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So referred.

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The Committee on the Judiciary, to which was referred,  
Mem. No. 13, S.,

The petition of members of the bar, and others of Oconto county, for an act authorizing the appointment of a phonographic reporter, for the circuit court of said county.

Has had the same under consideration, and instructed me to report it back to the Senate, so that it may accompany bill No. 48, S., to the subject matter of which it relates.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,  
Mem. No. 28, S.,

Of the county board of supervisors, of Adams county, asking for a change in the law for advertising and selling lands for delinquent taxes.

Has had the same under consideration, and instructed me to report it back with the recommendation that no further action be had thereon.

H. D. BARRON,  
*Chairman.*

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The report of the Committee was adopted.

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The Committee on Claims has had under consideration,  
No. 18, S.,

A bill to appropriate a sum of money therein named, for the use of the Wisconsin Hospital for the Insane.

No. 20, S.,

A bill to appropriate a sum of money therein named, for the use of the Northern Hospital for the Insane.

No. 34, S.,

A bill to appropriate a sum of money therein named, for the payment of current expenses at the State Prison for the year ending March 1, 1877.

And report the same back with amendment, and recommend their passage as amended.

No. 60, S.,

A bill to authorize the Secretary of State to order the binding of the reports of the State Superintendent of Public Instruction.

And report the same back to the Senate, with the recommendation that the same do pass.

FRANCIS CAMPBELL.

*Chairman.*

Senator Campbell, in behalf of the Committee on Claims, reported back "bill of particulars of Conrad Krez," with the recommendation that it be spread upon the journal of the Senate, and filed with the memorial on the same subject.

So ordered.

#### THE STATE OF WISCONSIN,

To CONRAD KREZ,

Dr.

|   |         |
|---|---------|
| To pay of colonel of the 27th Regiment, Wisconsin Volunteers, from September 2, 1862, to March 7, 1863, the date of his muster in the service of the United States; to 15 days full pay of colonel, deducting forage from September 2, 1862, to 17th of same month..... | \$99 00 |
| To 171 days, from September 17, 1862, to March 7, 1863, difference of pay received on commission of post-commandant, and full pay and allowances of colonel of infantry, \$1.60 a day..   | 273 60  |

|  |        |
|--|--------|
| Total amount of principal claimed and due from the State. .... | 372 60 |
|--|--------|

Interest due from March 7, 1863.

#### STATE OF WISCONSIN, *County of Dane, ss:*

Conrad Krez, of the city of Sheboygan, in said State, being duly sworn, says, that the foregoing account against the State of Wisconsin is just, and that no part thereof has been paid, and the whole thereof remains due and unsatisfied, errors of calculation excepted.

CONRAD KREZ.

Sworn to and subscribed before me this 21st day of January, A. D., 1876.

S. CADWALLADER,  
*Notary Public.*



## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 3, A.,

A bill to repeal chapter 342, of the laws of Wisconsin for 1875, an act entitled an act to amend chapter 184, of the revised statutes, entitled "of inquests of the dead."

No. 11, A.,

A bill to enable foreign trustees to sue in the State of Wisconsin.

No. 14, A.,

A bill to legalize the acts of Ferdinand Ree, a justice of the peace in the county of Manitowoc.

No. 25, A.,

A bill to amend chapter 218, of laws of 1875, entitled an act for fixing the terms of the Supreme Court, and regulating the practice therein, and concerning the justices thereof.

No. 35, A.,

A bill to authorize the city of Appleton to fund its corporate indebtedness.

No. 38, A.,

A bill to amend chapter 449, of the private and local laws of 1869, entitled an act to incorporate the city of Oconto.

No. 15, A.,

A bill to legalize the acts of Charles Heins, a justice of the peace in the county of Manitowoc.

M. C. No. 1, A.,

Memorial to Congress for the establishment of a mail-route between Osceola Mills, Polk county, Wisconsin, *via* El Salem, Sucker Lake, Lincoln Center, East Lincoln, Clear Lake, Black Brook, Wagon Landing, Alden, and back to Osceola Mills.

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ASSEMBLY MESSAGES CONSIDERED.

Nos. 3, 11, 14, 15, and 25, A.,

Were referred to the Committee on Judiciary.

No. 38, A.,

Was referred to the Committee on Incorporations.

M. C. No. 1, A.,

Was referred to the Committee on Federal Relations.

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On motion of Senator Ryan,

The rules were suspended, and

No. 35 A.,

A bill to authorize the city of Appleton to fund its corporate indebtedness,

Was read a third time and passed.

## RESOLUTIONS CONSIDERED.

Res. No. 22, S..

Relating to the contested seat of J. Henry Tate; introduced on yesterday, by the Committee on Privileges and Elections,

Was postponed until Tuesday next.

Senator Hiner moved that the testimony in the case, be recommended to the Committee on Privileges and Elections with instructions to cause such portions of the same to be printed as in their judgment, may be necessary for the information of the Senate.

The motion was adopted.

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On motion of Senator Hiner,  
The Senate adjourned.

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MONDAY, JANUARY 31, 1876.

7½ O'CLOCK, P. M.

The Senate met,

The Lieutenant-Governor presiding.

The roll was called and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Eastman, Farr, Flint, Hiner, Hudd, Jacobs, Mitchell, Potter, Reed, Ryan, Schuette, Treat, Welch, and Wilmot.

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Senator Daniel Cavanagh appeared, was qualified, and took his seat.

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MEMORIALS PRESENTED AND REFERRED.

By Senator Barron:

Mem. No. 34, S.,

Of Hon. Geo. C. Hough, Hon. M. S. Gibson, Stephen N. Hawkins, and other citizens, of St. Croix county, for additional appropriation to the State Historical Society.

To Committee on Claims.

By Senator Barron:

Mem. No. 35, S.,

Of Prof. W. D. Parker, Prof. A. Earthman, G. P. Brackett, and other citizens, of Pierce county, in favor of additional appropriation for the State Historical Society.

To Committee on Claims.

By Senator Barden:

Mem. No. 36, S.,

Of J. J. Guppey, C. C. Britt, and 43 other citizens, of Columbia county, for an increase of the annual appropriation for the State Historical Society.

To Committee on Claims.

By Senator Bryant:

Mem. No. 37, S.,

Of Sarah Jane Farr, in respect to a patent for land issued to her by the State of Wisconsin.

To Committee on Claims.

By the President:

MADISON, January 28, 1876.

HON. CHAS. D. PARKER,

*President of the Senate:*

SIR:—At the annual meeting of the "Wisconsin State Association for the Protection of Fish and Game," held recently in this city, the secretary was instructed to furnish you with a copy of a resolution adopted by the meeting, and request you to lay the same before the Senate. Said resolution is as follows:

*Resolved*, That in the opinion of this association the artificial cultivation of fish is worthy of State aid, and to this end we respectfully ask the legislature now in session to make suitable provisions therefor, and as asked by the Fish Commissioners in their second annual report.

Very respectfully,

MYRON T. BAILEY,  
*Secretary.*

Ordered spread upon the journal.

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## COMMUNICATIONS.

OFFICE OF ATTORNEY-GENERAL,  
MADISON, January 31, 1876.

HON. C. D. PARKER,

*Lieutenant-Governor and President of Senate:*

DEAR SIR:—I herewith transmit a reply to the resolution of the Senate in relation to the West Wisconsin Railway Company, and request you to present the same.

Very respectfully,

A. SCOTT SLOAN,  
*Attorney-General.*

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*To the Honorable, the Senate of the State of Wisconsin:*

I have the honor to acknowledge the receipt of a copy of the

resolution adopted by the Senate, requesting the Attorney-General to report:

First. The present status of the case of the State of Wisconsin against the West Wisconsin Railway Company, now pending in the Supreme Court, to forfeit the charter of the company.

Second. His opinion as to the effect of the further prosecution of the case, whether it would prevent, for a time, the operation of any portion of the line of the West Wisconsin Railway Company.

Third. What legislative action, if any, in regard to such case, and the subject matter thereof, would in his opinion best subserve the interests of the State, and would respectfully submit the following reply:

Chapter 31, laws of 1873, provided, in substance, that in case the West Wisconsin Railway Company should neglect or refuse to relay its track from Warren's Mills to Tomah, and operate the same by running daily passenger and freight trains thereon, by the first day of June, 1873, the said company should thereby forfeit all the rights, franchises, powers, privileges, and grants conferred upon said company by the legislature of the State of Wisconsin; and it was made the duty of the Attorney-General, and he was by the act required to bring suit in the Supreme Court in the nature of *quo warranto* against said company to enforce said forfeiture, which said suit was to be prosecuted to final judgment with all convenient speed, and the Governor was authorized to employ counsel to assist the Attorney-General in the prosecution of said suit.

In pursuance of this act, the company having failed to relay the track, Hon. H. L. Palmer was employed by Gov. Washburn as counsel in the case, and on the 11th day of September, 1873, an action was duly commenced in the Supreme Court to enforce said forfeiture.

The defendant, the West Wisconsin Railway Company, demurred to the information, the court overruled the demurrer, (34 Wis. Rep., p. 197,) and the defendant thereupon filed its answer, to which the State interposed a demurrer. The issue thus formed came on for argument at the June term, 1874, when the demurrer was sustained, the court holding that the act of the defendant in discontinuing and taking up its road between Tomah and Warren's Mills, was such a violation of its charter and of public law as to work a forfeiture. (36 Wis. Rep., 466.)

The defendant had leave to answer over, and on the 12th day of January, 1875, filed its amended answer, setting up substantially the same facts embraced in the original answer. To this the State demurred, and the case was put upon the calendar for argument at the last August term.

In the meantime Mr. Palmer had withdrawn from the case, and ex-chief justice Dixon employed in his stead, who had entire control of the case until the latter part of September, 1875, when he withdrew in a letter, of which the following is a copy:

MILWAUKEE, September 20, 1875.

HON. WILLIAM R. TAYLOR,

*Governor of Wisconsin.*

MY DEAR SIR:—In the case of the State *vs.* the West Wisconsin Railway Company, action of *quo warranto*, now pending in the Supreme Court, in which I have the honor to be employed as counsel for the State, I have advised the people of Tomah, as parties locally and specially interested in the litigation, that I look upon it as unwise and wrong, under existing circumstances, to press the action to judgment of forfeiture at this time; giving as my reasons the fact, which is one of public notoriety, and which I thoroughly believe to be true, that it is a physical or pecuniary impossibility for the railway company to re-lay its track from Warren's Mills to Tomah during the present season; and the further fact, on conclusion of law, which I believe also to be well-founded, that the judgment of forfeiture entered now, would deprive all the people along the line of the company's road of the facilities and advantages afforded by the road. After forfeiture of its franchises, the company would have no right to operate its road for a single day, and, as I understand the law, no such right would exist on the part of any other person or corporation. If I am correctly informed, no receiver, or agent, appointed by any court, would have such right.

Entertaining these views, it has seemed to me that the public wrong and injury to be endured by the disfranchisement of the company would be far greater than that which has been or must be endured by the failure of the company to comply with the requirements of the law of 1873, under which the action was instituted. Such a proceeding would not only defeat the object to be attained by the inhabitants of Tomah, but would deprive, for a time, at least, all the inhabitants along the line of the road of the benefit afforded by it. I need not say that this would be a public calamity; everybody knows that it would. Neither need I say, that it would be a result not contemplated by the legislature at the time of the passage of the act. The object of the act was to secure railway connection with Tomah, and not to destroy it elsewhere, including the very link which was to be made with Tomah. Forfeiture was inserted as an additional sanction or guaranty for the making of the connection, *assuming it to be possible for the company to make it*. Assuming it to be impossible for the company to relay the track, I cannot think for a moment that the legislature intended that the people of a larger section of the State, should be deprived of the advantages offered by the road. This is a contingency not contemplated by the legislature, and not provided for by the act in question, nor by any other, so far as I know or can ascertain. Convinced that judgment of forfeiture must follow, I have regarded it as my duty, as counsel for the State, and representing the people, not of Tomah alone, but of the State at large, to withhold application for such judgment until such time as by proper legislation the evils to which I have directed your excellency's attention might be averted.

These views, and my reasons for them, I have freely and fully communicated to the people of Tomah, and have endeavored to convince them of the propriety of my action, but without success. Regarding me as specially and peculiarly employed to represent their views, and be governed by their wishes and directions, they are wholly dissatisfied and discontented.

Under these circumstances I have been at great loss to know what course it was proper for me to pursue. I should be glad to learn that I am mistaken in my views of the effect of the judgment, and that, if entered, it would not result in the evils which I anticipate.

The interests of the people of Tomah, in the object which the legislature had in view by the passage of the act, are more direct and appreciable, than those of the people of any other part of the State. I recognize this fact, but still cannot recognize their right to control the litigation under existing circumstances. They think such is their right, and make demands accordingly. I may be wrong in my views upon this point, other counsel may say that I am wrong. It seems proper that the people of Tomah, through your excellency's appointment, should have the opportunity of obtaining the opinion of other counsel. I have concluded, therefore, with your excellency's permission, to withdraw from the case, and I hereby ask leave to do so.

Most respectfully, your obedient servant,

L. S. DIXON.

This action of Judge Dixon brought the case within the direct supervision of this office, and although Governor Taylor employed the Hon. Geo. Graham, of Tomah, as associate counsel, I considered that the responsibility of future proceedings devolved mainly upon the Attorney-General.

My first impression was, that it was my duty to proceed without delay, and steps were accordingly taken to bring the case to a hearing, and final judgment about the first of December, but further and fuller consideration of the circumstances, and of the important interests involved, led to the conclusion that the best interests of the people of the State would not justify the extreme measure of forfeiture at that time, especially in view of the embarrassments of the company, its alleged inability to relay the track, and the fact that the legislature would soon be in session, and could take such action as would best subserve the interests of the State.

I therefore continued the case until the present January term of the Supreme Court, under a stipulation from defendant's attorneys, that judgment might be entered upon the pleadings according to the prayer of the information, at any time after the adjournment of the next (this) legislature, unless such legislature should take such action as ought to prevent judgment of forfeiture. Such is the present condition of the case.

In reply to the second inquiry, I am of opinion that the prosecution of the case to a judgment of forfeiture would deprive the company of all right to operate its road, and the effect would be to prevent for a time the operation of any portion of the line of the

West Wisconsin Railway Company. This result would seem to follow on general principles, but chapter 329, of the laws of 1875, is so explicit as scarcely to leave room for doubt. That act, among other things, provides "that after such judgment of dissolution the corporation shall exist until a receiver shall be appointed, qualified, and duly invested with the property of said corporation, but such corporation *shall not, after such judgment of dissolution, be able to do any other act than to make over its assets,*" and this is but a re-enactment of the general provision relating to corporations, section 8, chapter 75, Taylor's Statutes, page 1,028, which, after providing that the corporation shall continue for certain purposes after judgment of forfeiture, adds the following language, "but not for the purpose of continuing the business for which such corporations have been or may be established."

The third inquiry, it is respectfully submitted, is one peculiarly and wholly within the province of the legislature to consider and determine, and upon which I do not feel at liberty to express an opinion.

Very respectfully,

A. SCOTT SLOAN,  
*Attorney-General.*

— — —  
OFFICE OF RAILROAD COMMISSIONERS,  
MADISON, JAN. 31, 1876.

*To the Honorable, the Senate of the State of Wisconsin:*

The undersigned, Railroad Commissioners, have the honor herewith to transmit, for the use of your honorable body, the accompanying answer of the land commissioner of the West Wisconsin Railway Company, to inquiries from this office, made on the 21st inst., in pursuance of the request contained in Resolution No. 9, S.

Respectfully,

JOHN W. HOYT,  
JOS. H. OSBORN,  
*Commissioners.*

WEST WISCONSIN RAILWAY COMPANY, LAND DEPARTMENT,  
HUDSON, WIS., January 24, 1876.

*To the Honorable, the Board of Railroad Commissioners, Madison, Wisconsin:*

GENTLEMEN:—In reply to your communication under date of 21st inst., transmitting copy of resolution, adopted by the Senate, requesting certain information as to the transactions of this department, I have the honor to submit the following report, upon the points indicated in the resolution:

*First.* The number of acres sold and deeded to January 1, 1876, was 60,929.28. (Note.—The number of acres sold and conveyed to June 30, 1875, was as heretofore reported to you, 50,567.70.)

The number of acres contracted to be sold to January 1, 1876, was 114,542.49.

All the lands sold have either been deeded to purchaser, or are held under contract of sale. In no instance has the company taken a mortgage to secure the payment of the purchase-money.

*Second.* The highest price paid per acre was \$35.00. (Note.—This was a sale of a small tract of land, on the line of the railroad, to a wealthy firm of business men, who bought it as a speculation in view of its eligibility for town site and manufacturing purposes.)

*Third.* The lowest price paid per acre was \$1.25. (Note.—This is one-half the price per acre of all government land within limits of twenty miles on either side of the railroad.)

*Fourth.* The average price paid per acre was \$5.35. (Note.—This average is of all the lands deeded and contracted to be sold. The sales have been upon from five to eight years' time, and in very many cases upon a cash payment of ten dollars. In most of the sales the cash, or first payment, has been small; it has been the uniform practice of the department to make the earlier payments small, in order to enable the purchaser to improve and cultivate the land, that he might, from the products of the same, more easily meet the last and largest instalment.)

*Fifth.* No lands have been leased or rented for any purpose, and therefore no revenue been derived "from lands rented for various purposes and exempt from taxation."

Though not expressly called for by the resolution, I trust it will not be regarded as improper for me to say, for the information of your honorable board, that the lands of the company were in 1872, for the first time explored, and reports made as to character, quality, location, and the other elements entering into their value. Upon these reports, and information subsequently acquired, the prices have been fixed. While I am not fully advised as to the prices at which lands similar in character are held by individuals for sale within the limits of the grant, I am gratified to be able to state that with the easy terms given by the company, settlers have invariably manifested a disposition to purchase of us, at the prices fixed, rather than of individuals.

Prior to the year 1872, when I assumed the management of the department, a large number of settlers had, without color of right, entered upon and improved lands belonging to the company. To all such I was instructed to sell at the fair market value of the land in a state of nature, regardless of improvements, and upon the same terms of payment given to others. While in some cases, by reason of the vast details involved in the business of the department, and of imperfect knowledge as to particular tracts of land, errors of judgment, may have worked injustice. I have endeavored to carry out both the letter and spirit of these instructions.

In no instance has any land-contract been canceled, or any purchaser ejected, because of failure to make payments according to the contract, when he was sufficiently desirous of an extension of time to request the same.

It may not be improper, also, to say that the lands which have



thus far been sold, having been selected out of the entire grant by early purchasers, were among the choicest which the company had acquired. While there still remains unsold, and open for sale, a large quantity of good land, candor compels the statement that at least one-third of the lands undisposed of are sandy, barren, bluff, and comparatively worthless.

I have been and am instructed to push the sales of land as rapidly as possible. This I have done, am doing, and shall continue to do. No land has been, or is, or will be reserved from market, or held for enhancement in value.

Lists of all lands sold and conveyed, and of all lands held under contract, have been annually furnished to the proper officers of each county, as required by chapter 104, of the general laws of 1870, to the end that they might be assessed and taxed as other property, with the exception of Trempealeau, Pierce, and Pepin, where, inasmuch as all the lands which the company had acquired were assessed and taxed, whether sold or not, the department was advised that it was needless to furnish the lists.

Yours, respectfully,

H. H. WEAKLEY,  
*Land Commissioner West Wisconsin R'y Co.*

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### RESOLUTIONS INTRODUCED.

By Senator Potter:

Res. No. 23, S.

Requesting the State Treasurer to make a statement of fees received by him.

*Resolved*, That the State Treasurer be and hereby is respectfully requested to inform the Senate at his earliest convenience, what amount of fees he has received by virtue of his office, during his last term of office, the sources from whence received, including amount received on account of deposits of State funds in banks, and whether the same has been retained by him for his services, or credited to the general fund.

The resolution lies over.

By Senator Potter:

Res. No. 24, S.

Requesting the Secretary of State to make a statement in regard to fees received by him.

*Resolved*, That the Secretary of State be and hereby is respectfully requested to inform this body at his earliest convenience, what amount of fees he has received by virtue of his office, during his last term of office, the sources from whence received, and whether the same has been retained by him for his services or credited to the general fund.

The resolution lies over.

By Senator Barron:

Jt. Res. No. 10, S.,

Relating to joint rule No. 8.

*Resolved by the Senate, the Assembly concurring,* That joint rule No. 8, relating to joint standing committees, be suspended during the present session of the Senate and Assembly, and that the joint standing committees remain the same during this session as they stand on page 10 of the Senate journal, and on pages 17 and 18 of the Assembly journal.

The resolution lies over.

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### BILLS INTRODUCED.

Read first and second times and referred.

By Senator Welch:

No. 97, S.,

A bill in relation to evidence in suits on official bonds, and to recover public funds.

To Committee on Judiciary.

By Senator Barron:

No. 98, S.,

A bill to amend chapter 46, of the general laws of 1869, entitled, "an act to protect the lands and timber thereon granted to the St. Croix and Lake Superior Railroad Company."

To Committee on Judiciary.

By Senator Mitchell:

No. 99, S.,

A bill to appropriate to the Milwaukee Industrial School a sum of money therein named.

To Committee on Charitable and Penal Institutions.

By Senator Baker:

No. 100, S.,

A bill to amend section 1. of chapter 92, of the private and local laws of 1868, entitled, "an act to amend section 1, of chapter 340, of the private and local laws of 1867, entitled, 'an act to incorporate the Taylor Orphan Asylum.'"

On motion of Senator Baker

The rules were suspended, the bill was read a third time, and passed.

By Senator Bryant:

No. 101, S.,

A bill to amend section 1, and repeal section 7, of chapter 146, of the general laws of 1872, entitled, "an act to authorize the organization of corporations for other than manufacturing, mercantile, insurance, banking, transportation, or trading purposes."

To Committee on State Affairs.

By Senator Potter:

No. 102, S.,

A bill relating to telegraph companies, and amendatory of chapter 141, of the general laws of 1868, entitled, "an act to provide for the taxation of telegraph companies, and to repeal chapter 160, of the general laws of 1867, entitled, 'an act to provide for the taxation of telegraph companies.'"

To Committee on Railroads.

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### MEMORIALS PRESENTED AND REFERRED.

Read first and second times and referred.

By Senator Barden:

M. C. No. 10, S.,

For the establishment of a tri-weekly mail route from Marquette, in Green Lake county, *via* Kingston to Portage, in Columbia county.

To Committee on Federal Relations.

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### REPORTS OF COMMITTEES.

The Committee on Claims has had under consideration,  
No. 37, S.,

A bill to appropriate to the State Board of Centennial Managers a sum of money therein named,

Has directed me to report the same back to the Senate, with amendments, and recommend that the same do pass as amended.

FRANCIS CAMPBELL.

*Chairman.*

The following were the amendments reported by the Committee on Claims:

1. Amend section 1, by striking out the words twenty-five thousand in fifth line, and insert twenty thousand.

2. Amend section 1, by adding to the same: *provided, however,* that no purchase or expenses shall be made by said Centennial managers for the exhibition, without the same being first approved by the Governor; *and, provided further,* that said board of Centennial managers, shall receive nothing from the State, for either their services or expenses; and in no event shall the State be liable for expenditures incurred in behalf of said exhibition, to a greater amount than is here appropriated.

3. Add new section, and re-number Section 4. So much of chapter 167, of the laws of 1875, as conflict with the provisions of this act is hereby repealed.

The question being on the adoption of the first amendment,  
The ayes and noes were called for, and

The amendment was adopted by the following vote:

Ayes—Senators Baker, Barden, Barron, Blair, Campbell, H. N. Davis, Douglas, Eastman, Flint, Ryan, Schuette, Treat, Welch, and Wilmot—14.

Nays—Senators Barney, Bryant, Cavanagh, R. E. Davis, Farr, Hiner, Hudd, Jacobs, and Mitchell—9.

The question being on the adoption of the second amendment reported by the committee,

The ayes and nays were called for and it

Was lost by the following vote:

Ayes—Senators Barron, Campbell, H. N. Davis, Douglas, Eastman, Potter, Ryan, Schuette, and Welch—9.

Nays—Senators Baker, Barden, Barney, Blair, Bryant, Cavanagh, R. E. Davis, Farr, Flint, Hiner, Hudd, Jacobs, Mitchell, Treat, and Wilmot—15.

The third amendment reported by the committee was rejected.

Senator Barron offered the following amendment:

Add to section 1 as follows: "And in no event shall the State be liable for expenditures incurred in behalf of said exhibition to a greater amount than has been and is here appropriated."

The ayes and nays being called for, the amendment was adopted by the following vote:

Ayes—Senators Baker, Barden, Barron, Blair, Campbell, H. N. Davis, R. E. Davis, Douglas, Eastman, Farr, Flint, Mitchell, Potter, Ryan, Schuette, Welch, and Wilmot—17.

Nays—Senators Barney, Bryant, Cavanaugh, Hiner, Hudd, Jacobs, and Treat—7.

The bill was then read a third time and passed by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Eastman, Farr, Flint, Hiner, Hudd, Jacobs, Mitchell, Potter, Ryan, Schuette, Treat, and Wilmot—23.

Nays—Senators Reed and Welch—2.

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The Committee on State Affairs, to whom was referred,  
No. 62, S.,

A bill relating to the preservation of fish in Silver Lake, and Fish Lake, and the waters connecting them, in the county of Washara,

Respectfully report the same back to the Senate, and recommend the passage of the same.

L. W. BARDEN.

*Chairman.*

The Committee on Federal Relations, to whom was referred,  
M. C. No. 8, S., and M. C. No. 1, A.,  
Have had the same under consideration. and directed me to report the same back, recommending their adoption.

G. E. BRYANT,  
*Chairman.*

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The Committee on State Affairs, to whom was referred,  
No. 28, S.,  
A bill to amend chapter 22, of the laws of 1875, entitled, "an act to amend chapter 136, of the laws of 1874, entitled an act for the preservation of fish in Dell Creek,"

Respectfully report the same back to the Senate, and recommend that it do pass.

L. W. BARDEN,  
*Chairman.*

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The Committee on Engrossed Bills, have examined and find correctly engrossed, the following bills:

No. 40, S.,

A bill to authorize and require the county clerk of the county of Burnett to make and keep up an abstract of tax sales.

No. 48, S.,

A bill to provide for the appointment of phonographic reporters for the circuit court of Oconto county.

No. 49, S.,

A bill relating to registration of electors, and amendatory of section 1, of chapter 232, of the general laws of 1875.

M. C. No., 4, S.,

Relating to increased mail facilities in the northern portion of Sauk county.

M. C. No. 7, S.,

For the establishment of a mail-route from Wausau to Colby, via Stettin, Marathon, and Wein.

M. C. No. 5, S.,

For an increased mail service from Durand to Pepin, in Pepin county.

M. C. No. 6, S.,

For an appropriation to improve the navigation of the Chippewa River.

No. 5, S.,

A bill to authorize and empower Leonard Guenther to erect and maintain a system of piers and booms on the Wisconsin River, in the town of Knowlton, Marathon county.

No. 19, S.,

A bill to appropriate a sum of money therein named, for the use

of the Industrial School for Boys, for the payment of current expenses, to pay indebtedness, and complete barn.

D. E. WELCH,  
*Chairman.*

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The message of Hon. H. Ludington, Governor, appointing Geo. W. Burchard director of the State Prison, and the report of the Committee on State Affairs, recommending the confirmation of Mr. Burchard, was taken up.

The appointment was confirmed by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavaragh, H. N. Davis, R. E. Davis, Douglas, Eastman, Farr, Flint, Hiner, Hudd, Jacobs, Mitchell, Potter, Reed, Ryan, Schuette, Treat, Welch, and Wilmot—25.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

Mr. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 2, A.,

A bill to constitute the clerk of the circuit court of Winnebago county, Wisconsin, clerk of the county court of said county, in probate, and all other proceedings therein.

No. 9, A.,

A bill to prevent the hunting of deer with dogs in the counties of Oconto and Waupaca.

No. 10, A.,

A bill for the enforcement of liens of inn-keepers, boarding-house keepers, livery-stable keepers, boarding-stable keepers, and agisters of live stock.

No. 12, A.,

A bill relating to the erection of permanent land-marks and amendatory of section 120, of chapter 15, of revised statutes, entitled, of towns and town officers, as amended by section 5, chapter 167, of general laws of 1867.

No. 21, A.,

A bill to create a municipal court for the county of Chippewa.

And has adopted, and asks the concurrence of the Assembly in, Jt. Res. No. 9, A.,

Directing the Secretary of State to procure 1,000 copies of the census of 1875.

And present you for signature,

Jt. Res. No. 9, S.,

Instructing and requesting our Senators and Representatives in Congress to oppose a certain bill in Congress.

Said resolution having been signed by the Speaker,  
The joint resolution was signed by the President.

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### ASSEMBLY MESSAGES CONSIDERED.

The Senate refused to concur in Jt. Res. No. 9, A., by the following vote:

Ayes—Senators Barney, R. E. Davis, Farr, and Ryan—4.

Nays—Senators Baker, Barden, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, Douglas, Eastman, Flint, Hudd, Mitchell, Schuette, Treat, Welch, and Wilmot—17.

Nos. 2, 10 and 21, A.,

Were referred to the Committee on Judiciary.

Nos. 9 and 12, A.,

Referred to the Committee on State Affairs.

On motion of Senator Potter,

The rules were suspended, and

No. 62, S.,

A bill relating to the preservation of fish in Silver Lake and Fish Lake, and the waters connecting them, in the county of Waushara,  
Was read a third time and passed.

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### SENATE BILLS ON A THIRD READING.

No. 8, S.,

A bill relating to the assessment of property for taxation, to repeal chapter 120, of the general laws of 1871, and to revive, restore and re-enact section 4, of chapter 27, of the general laws of 1871.

No. 14, S.,

A bill to amend section 1, of chapter 306, of the general laws of 1875, entitled, "an act to transfer the Soldiers' Orphans' Home to the custody of the regents of the State University."

No. 40, S.,

A bill to authorize and require the county clerk of the county of Burnett to make and keep up an abstract of tax sales.

No. 47, S.,

A bill to provide for the hearing and decision of motions and making of orders in certain cases in civil actions.

No. 48, S.,

A bill to provide for the appointment of phonographic reporters for the circuit court of Oconto county.

No. 50, S.,

A bill to amend chapter 203, of laws of 1875, entitled "an act in relation to the Wisconsin Railroad Farm-Mortgage Land Company."

No. 52, S.,

A bill to amend section 4, of chapter 430, of the private and local laws of 1868, entitled, "an act to incorporate the Apple River Log Driving Company."

M. C. No. 4, S.,

Relating to increased mail facilities in the northern portion of Sauk county.

M. C. No. 5, S.,

For an increase of mail service from Durand to Pepin, in Pepin county.

M. C. No. 6, S.,

For an appropriation to improve the navigation of the Chippewa River.

M. C. No. 7, S.,

For the establishment of a mail-route from Wausau to Colby, *via* Stettin, Marathon, and Wein.

Were read a third time and passed.

No. 33, S.,

A bill to appropriate a sum of money therein named, for the payment of pensions to soldiers' orphans, as provided in chapter 72, laws 1874, for the year 1876.

Was read a third time and passed by the following vote :

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Eastman, Farr, Flint, Hiner, Hudd, Mitchell, Potter, Ryan, Schuette, Treat, Welch, Wilmot—24.

Nays—0.

No. 16, S.,

A bill to appropriate a sum of money therein named for the use of the Institution for Education of the Blind, for the payment of current expenses.

No. 17, S.,

A bill to appropriate a sum of money therein named, for the use of the Institute for the Education of Deaf and Dumb, for the payment of current expenses for the year ending March 1, 1877, and for permanent improvements.

No. 19, S.,

A bill to appropriate a sum of money therein named for the use of the Industrial School for Boys, for the payment of current expenses, to pay indebtedness, and to complete barn.

No. 53, S.,

A bill to appropriate to Fred. A. Dennett and R. M. Strong, the sum of fifty dollars each.

Were severally read a third time and passed by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Eastman, Farr, Flint, Hiner, Hudd, Mitchell, Potter, Ryan, Schuette, Treat, Welch, and Wilmot—22.



No. 49, S.,

A bill relating to registration of electors, and amendatory of section 1, of chapter 232, of the general laws of 1875,

Was read a third time. The ayes and nays being called for the bill was passed by the following vote:

Ayes—Senators Baker, Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, Douglas, Farr, Flint, Hiner, Potter, Schuette, Treat, and Welch—15.

Nays—Senators Barney, Cavanagh, Eastman, Hudd, Jacobs, Mitchell, Potter, and Ryan—7.

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### BILLS READY FOR ENGROSSMENT.

No. 28, S.,

A bill to amend chapter 22, of the laws of 1875, entitled, "An act to amend chapter 136, laws of 1874, entitled, 'An act for the preservation of fish in Dell Creek.'"

No. 58, S.,

A bill to amend section 1, of chapter 46, of the general laws of 1869, entitled, "an act to protect the lands and timber thereon, granted to the St. Croix and Lake Superior Railroad Company."

No. 60, S.,

To authorize the Secretary of State to order the binding of the report of the State Superintendent of Public Instruction.

M. C. No. 8, S.,

For an increased appropriation for the extension of the signal service.

Were ordered engrossed.

No. 21, S.,

A bill authorizing the circuit court of the 6th judicial circuit to admit Archie M. Stevenson to act as an attorney in the circuit courts of this State.

No. 25, S.,

A bill constituting the clerk of the circuit court of the county of Waukesha *ex-officio* clerk of the county court.

Were indefinitely postponed.

The amendments reported to

No. 18, S.,

A bill to appropriate a sum of money therein named for the use of the Wisconsin Hospital for the Insane for the payment of current expenses, for repairs, and improvements, and deficiency.

No. 20, S.,

A bill to appropriate a sum of money therein named for the use of the Northern Hospital for the Insane, for the payment of current expenses and for improvements.

No. 34, S.,

A bill to appropriate a sum of money therein named for the pay-

ment of current expenses at the State Prison for the year ending March 1, 1877.

Were severally adopted and the bills ordered engrossed.

No. 22, S.,

A bill to repeal chapter 43, general laws of 1875, entitled "an act to amend section 65, of chapter 18, of the revised statutes, entitled 'of the assessment and collection of taxes.' "

Senator Flint offered the following amendment.

Amend by striking out all of section 2, and in lieu thereof insert the following: Section 2. This act shall take effect and be in force, on and after November 1, 1876.

The amendment was adopted.

The Senate refused to order the engrossment of the bill.

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#### ASSEMBLY BILLS ON THEIR THIRD READING.

M. C. No. 1, A.,

Memorial to Congress for the establishment of a mail-route between Osceola Mills, Polk county, Wisconsin, *via* El Salem, Sucker Lake, Lincoln Center, East Lincoln, Clear Lake, Black Brook, Wagon Landing, Alden, and back to Osceola Mills.

Was ordered to a third reading.

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On motion of Senator Baker,  
The Senate adjourned.

TUESDAY, FEBRUARY 1, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

Prayer by the Rev. E. D. Huntley.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hiner, Jacobs, McFarland, Mitchell, Potter, Reed, Ryan, Schuette, Tate, Treat, Welch, and Wilmot.

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MEMORIALS PRESENTED AND REFERRED.

By Senator Bryant :

Mem. No. 38, S.,

Of S. W. King and others, in relation to the West Wisconsin Railway Company.

To Committee on Railroads.

By Senator Bryant :

Mem. No. 39, S.,

Of Isaac C. Knapton and 20 others, for the amendment of assessment law.

To Committee on State Affairs.

By Senator Bryant :

Mem. No. 40, S.,

Of E. J. Brooks and 20 others, against the repeal of the "Potter law."

To Committee on Railroads.

By Senator Bryant :

Mem. No. 41, S.,

Of J. H. Porter and 20 others, for a change in the laws of interest.

To Committee on Judiciary.

By Senator Flint:

Mem. No. 42, S.,

Of M. M. Brown, J. N. Hoag, H. Nelson, and 84 others, citizens of the town of Sherman, in Dunn county, praying for the repeal of the law exempting the lands of the West Wisconsin Railway Company from taxation.

To Committee on Railroads.

By Senator Wilmot:

Mem. No. 43, S.,

Of L. F. Frisby, I. N. Frisby, J. Potter, and 18 others, for an appropriation of \$1,500 to the State Historical Society, for literary and scientific purposes.

To Committee on Claims.

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### BILLS INTRODUCED.

Read first and second times, and referred.

By Senator Reed:

No. 103, S.,

A bill to appropriate a sum of money therein named to the Industrial School for Boys, for the purpose of introducing the manufacture of boots and shoes.

To Committee on Charitable and Penal Institutions.

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### REPORTS OF COMMITTEES.

The select committee, to which was referred

Jt. Res. No. 4, A.,

Relating to the reception of bills, with a pending amendment thereto,

Have had the same under consideration, and report it back with the following amendment:

Add to the joint resolution the following proviso: *Provided*, standing and select committees may report by bill on any subject-matter previously referred to them; and that the annual revenue bill may be reported at any time.

W. H. HINER,

*Chairman.*

The amendment was adopted, and said joint resolution, as thus amended, was concurred in.

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 73, A.,

A bill to repeal chapter 298, of the laws of Wisconsin, 1875, an act to create a board of park commissioners for the west side of the city of Milwaukee.

No. 101, A.,

A bill to provide for the laying out and establishing of a State road from Shiocton, in Outagamie county, to Clintonville, in Wau-paca county.

No. 89, A.,

A bill to authorize the city of Janesville to purchase a steam fire engine.

No. 19, A.,

A bill to provide for laying out a State road from the town of Berlin, Marathon county, to Medford, in Taylor county.

No. 43, A.,

A bill to authorize the taking or catching of certain kinds of fish in Geneva Lake, Walworth county, at any time throughout the year.

And I am directed to transmit to the Senate, joint rules of the Senate and Assembly, which the Assembly has concurred in, as amended by the Senate.

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#### ASSEMBLY MESSAGES CONSIDERED.

Nos. 19, and 101, A.,

Were referred to the Committee on Roads, Bridges and Ferries.

No. 89, A.,

Was referred to Committee on Incorporations.

No. 43, A.,

Was referred to Committee on State Affairs.

No. 73, A.,

Was referred to a select committee, consisting of Senators Jacobs and Mitchell.

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#### ASSEMBLY BILLS ON A THIRD READING.

M. C. No. 1, A.,

Memorial to Congress for the establishment of a mail-route between Osceola Mills, Polk county, Wisconsin, via El Salem, Sucker Lake, Lincoln Centre, East Lincoln, Clear Lake, Black Brook, Wagon Landing, Alden, and back to Osceola Mills.

Was concurred in.

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#### SENATE BILLS ON A THIRD READING.

No. 5, S.,

A bill to authorize and empower Leonard Guenther to erect and

maintain a system of piers and booms on the Wisconsin River, in the town of Knowlton, Marathon county,

Was passed.

No. 26, S.,

A bill to amend chapter 111, of the revised statutes, entitled of divorce,

Was referred to select committee consisting of Senator Reed.

On motion of Senator Bryant,

Mem. No. 4, S.,

Memorial of S. D. Carpenter and others in reference to sinking fund,

Was recommitted to Committee on Federal Relations.

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### RESOLUTIONS CONSIDERED.

Jt. Res. No. 10, S.,

Relating to joint rule No. 8.

Res. No. 22, S.,

Relating to contested seat of J. Henry Tate.

Res. No. 23, S.,

Requesting the State Treasurer to make a statement of fees received by him.

Res. No. 24, S.,

Requesting the Secretary of State to make a statement in regard to fees received by him.

Were severally adopted.

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On motion of Senator Flint,

The Senate adjourned.

WEDNESDAY, FEBRUARY 2, 1876.

10 O'CLOCK, A. M.

The Senate met,  
The Lieutenant-Governor presiding.

Prayer by the Rev. E. D. Huntley.

The roll was called and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot.

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#### MEMORIALS PRESENTED AND REFERRED.

By Senator Barron:

Mem. No. 44, S.,

Of C. J. Peterson and others, of Burnett county, in favor of conferring certain ferry rights upon John A. Jacobson in said county.  
To Committee on Judiciary.

By Senator Barron:

Mem. No. 45, S.,

Of Peter Anderson and many other citizens of Burnett county, asking that John A. Jacobson may have a certain ferry right.

To Committee on Judiciary.

By Senator Blair:

Mem. No. 46, S.,

Of the State Board of Charities and Reform.

To Committee on Charitable and Penal Institutions.

By Senator Rounds:

Mem. No. 47, S.,

Of J. Plummer, L. S. Mayo, and 50 others in favor of the passage of a law for the taxation of church property.

To Committee on State Affairs.

By Senator Hiner:

Mem. No. 48, S.,

Of H. D. Hitt, Jas. Orvis, S. P. Stoddard, D. Hatch, C. B. Parrott, S. E. Carrier, and M. C. Howard, for relaying of the track by the West Wisconsin Railway, between Warren's Mills and Tomah.

By Senator Hiner:

Mem. No. 49, S.,

Of H. D. Hitt, Jas. Orvis, S. P. Stoddard, D. Hatch, C. B. Parrott, and M. C. Howard, to reduce the rate of interest.

To Committee on State Affairs.

The President presented the following report of the State Treasurer:

STATE OF WISCONSIN, TREASURER'S OFFICE,

MADISON, February, 1876.

*To the honorable, the President of the Senate:*

SIR:—I have the honor to acknowledge the receipt of a copy of Senate Resolution No. 23, and to submit the following reply thereto:

There has been received by me during the years 1874 and 1875, as one of the School Land Commissioners, fees as follows:

|              |            |
|--------------|------------|
| In 1874..... | \$2,160 00 |
| In 1875..... | 1,573 58   |

I have also received as interest on the deposit of State funds, during said term of two years, the sum of \$24, 334.31.

Not being aware of any law requiring any part of these sums to be credited to the general fund, I have retained the whole amount in accordance with the uniform practice of my predecessors.

Very respectfully,

FERD. KUEHN,  
*State Treasurer.*

The President presented the following report of the Secretary of State:

STATE OF WISCONSIN, SECRETARY'S OFFICE.

MADISON, February 1, 1876.

*To the honorable, the President of the Senate:*

SIR:—I have the honor to acknowledge the receipt of Resolution No. 24, Senate, and in reply would respectfully state that the fees received during my term were as follows:

|   |             |
|---|-------------|
| From Fire and Marine Insurance Companies.....   | \$16,078 99 |
| Of such fees there has been paid into the State Treasury to the credit of the general fund, under chapter 56, general laws of 1870, including \$674.60 expended in currency ..... | 13,015 10   |
| There was received from life and accident companies.....  | 3,627 00    |
| From land office.....   | 3,733 58    |
| From incidental fees (certified copies, etc.).....  | 1,368 30    |



These fees have been retained for services in accordance with existing laws and the settled and uniform practice of this department.

It may not be improper to add that notarial fees, payable by law into the State Treasury, are frequently sent to the office of the Secretary of State. Such fees are invariably turned over to the State Treasurer and placed to the credit of the general fund.

Very respectfully,

PETER DOYLE,  
*Secretary of State.*

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The President presented the following report of the revisers of the statutes:

MADISON, February 2, 1876.

*To the President of the Senate:*

The revisers, in compliance with the resolution of the honorable the Senate of the State of Wisconsin, adopted on the 27th day of January, 1876, respectfully submit the accompanying report.

Your obedient servant,

DAVID TAYLOR,  
*Chairman.*

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*To the Senate:*

The undersigned, the revisers who were appointed by the justices of the Supreme Court, "to collect and revise the general laws of this State, for the purpose of preparing a new edition of such laws for publication," in pursuance of chapter 203, of the general laws of the year 1875, have the honor to acknowledge the receipt of the resolution adopted by your honorable body, by which, after reciting the universally acknowledged importance of the early completion of the work, and the desire of the people to be informed of the progress already made, and the probable length of time which will be required to complete the revision, the revisers are requested to report to your honorable body:

*First.* What proportion of the laws they have already revised;

*Second.* What number of days they have been employed in such work to this time;

*Third.* What further number of days they will probably require in which to complete such revision;

*Fourth.* What the compensation of each of such revisers and their clerk amounts to at the present time.

In making response to the particular inquiries so put to them, the undersigned beg the indulgence of your honorable body to enable them to state, with the view of inviting the attention of Senators to the subject, and of informing through your honorable body, all persons interested, not only the quantity of work actually done, the time and money expended, and that will probably be con-

sumed, but especially the revisers' conception and understanding of the character and quality, as well as the magnitude and importance of the work devolved upon them by the act of 1875; and also, the plan with which they have entered upon its performance.

They feel that there is a double necessity for this course; for the undersigned cannot but be conscious that there is a general inadequacy of conception, on the part not only of the people at large, but also of persons whose professional avocation directs their attention more especially to the statute laws of the State, of the delicate and time-consuming nature of the task with which they are charged; because, although they entered upon it only after much consideration and with many misgivings upon this account, their own preconception was in this particular astonishingly disproportionate to the real truth, which, as their labor progresses and their experience of it enlarges, is forced upon their minds. If, however, it shall appear that the view they entertain of the requirements imposed upon them to satisfy by the act of 1875, construed in the light afforded by the results of similar labor in other parts of the country which have excited the approbation of the enlightened public, is of too high a character, and beyond what the exigencies of this State demand, or its pecuniary resources can, with due regard to the other unavoidable drains upon them, justly and properly sustain, it will be a conspicuous advantage that this be immediately known, in order that the wisdom of the legislature may discover and define the needed limitations. The mandate of the act of 1875 was not only to "collect," but to "revise" the general laws; to review, alter, and amend them, according to the approved definition of the latter verb when so employed. It can require no great degree of reflection to enable an intelligent citizen to thoroughly comprehend that such an undertaking is one of peculiar delicacy, and of the greatest importance.

The general laws, under the constitution, support, direct and control not only all the public institutions of the State, and the exercise of the public functions of its administrative officers and magistrates, from the highest to the lowest rank, but also to a large extent the rights and duties of every citizen in his relations to the State and to his fellow-men, both in individual and corporate capacity. There are few interests of the citizen, either in his personal or domestic relations, his associated enterprises, or his social or public duties, not directly and immediately affected by statute law, and no line of that law can be wisely touched, without an intelligent and comprehensive understanding and consideration of these varied interests.

To adequately accomplish the great end sought in the undertaking upon which they have entered, the revisers have considered to be proposed to them by the legislature, besides desiderata of lesser moment, which they now forbear to recapitulate, the leading and principal objects to be attained by the revision of the laws herein mentioned:

*First.* A careful and critical analysis and intelligent arrangement, in proper divisions, subdivisions, chapters, and sections, as harmonious parts of one entire body of law, of all the general laws.

This required that all the general laws should be considered, first in their comprehensive general relations, the several general divisions then reviewed and subdivided in a natural array; and, descending to the lesser parts, that these should be minutely regarded, both in detail and in view of their relations to the rest. It required that thereafter all the general laws which have been enacted should be carefully examined, in order that such as have been repealed should be omitted. Such as were local or temporary in character should be put to one side, and no enactment which was of permanent and general efficacy should be lost to view, and that thereupon such as remained of force, should be collocated and distributed to their proper departments.

The chief result from this disposition should be, that each title of law should contain, so far as the nature of the whole subject will permit, every provision of statutory enactment relating to it; that each chapter should embrace fully all that pertained to its subject, and no more; that each section should exhaust the limited detail to which it should be directed, and extend not a line beyond. From this it might be hoped it would follow, that when any person, whether lawyer or layman, should read and rely upon the law laid down in a section or chapter, which professed to inform him of his rights and duties on a particular subject, he might not be subsequently disappointed in his respect for the law, and suffer injury in his property or personal privileges, by the too late discovery that some other obscure or recondite passage of the same body of law in reality destroyed and reversed the obvious meaning and sense of that which he had read and acted upon. Few persons, whose thoughts and observation have been turned to the existing laws, but have hitherto witnessed repeated experiences of such discomfiture.

We venture to add, that it may also be hoped, should this object be attained, that it will be unnecessary in subsequent legislation to secure some particular end, that the act to provide it shall take no care for the law as it exists, and like a cannon ball shot through a house, cleave a violent passage through every previously constructed room and apartment of the law, making a rent here, and wholly destroying there, by direct force or inevitable consequence; as a certain necessity, resulting from confusion, has of late years so often caused to be done. But that it will be possible to engraft such changes and emendations upon the appropriate and peculiar branch to be remedied, without injury to the rest of the legal anatomy. No attempt to set forth all the advantages of the successful accomplishment of the object mentioned is, however, now permissible to us, nor needful. The longer the mind dwells on it, the more striking they appear.

*Second.* The suggestion to the legislature of additions to or corrections of the various parts, both in the smaller details and the more important particulars, in which a clear analysis and correct collocation will serve to show them deficient.

Anything beyond, however, such verbal and lesser alterations as will in no grave manner change existing law, the revisers regard

as but sparingly required of them. Yet to discharge their full duty in this particular, it is incumbent on them to examine the revised laws of other States with a particular care, to compare them with our own, and endeavor to avail the people of such results, as the wisdom and researches of learned men in other commonwealths have wrought, which seem peculiarly appropriate and beneficial to the conditions of things here.

*Third.* To amend the phraseology in which the statutes are written, wherever needful, so that every provision shall be expressed in clear and perspicuous modern language, readily intelligible to every man, of whatever profession or calling, capable of reading with intelligent understanding the American English tongue.

It is the cardinal rule of courts, "that the acts of the legislature are to be construed according to the intent of the legislature which passed them; that in ascertaining that intent, we are first to look to the language in which they have spoken; and if that language is plain and unambiguous, interpretation is not allowable." *Ogden vs. Gliddon*, 9 Wis., 46; opinion, page 52.

How manifestly it follows that never ought interpretation to be allowable; because, never ought a statute to be other than plain and unambiguous in expression! Yet a large number of the causes reported in every volume of adjudication, by our highest court, have been carried there, and a still greater number are, term by term, litigated in our circuit courts, upon controversies turning merely on the true reading of the statutory law; a law that should be, if the State discharged its duty, so plain and unambiguous that an intelligent man should not mistake the intention of it, and the Supreme Court not find it allowable to read it otherwise.

Descending to us either as the inheritance of the craft, the carelessness or ignorant unskillfulness of remote ancestors—an inheritance nourished certainly by the combined effects of all together, within our own observation—is the whimsical notion, not uncommonly entertained, and, unfortunately, too commonly fruitful of the worst results, that statute law should not be written in the simple and intelligible speech and perspicuous sentences in which educated men convey ideas, but in an involved, long and turgid phrase that perhaps, to the intelligent and cautious, shall seem to mean one thing and really enact another, and that, to many minds, both means and enacts nothing at all.

While a considerable part of our statutes are not obnoxious to severe criticism in this respect, many portions are so to such an extent as to have been for years the object of ridicule, and yet have been suffered to remain uncorrected, as if to serve no other purpose.

*Fourth.* To consolidate statutes, relating to the same subjects, reconciling inharmonious provisions, and purging them of redundancy and tautology.

This object may perhaps be considered as included within the first and third before mentioned, since the perfect accomplishment of them would necessarily effect the end. But its importance requires that it should be distinctly and independently placed in view. There occur in the laws, several instances of a double series of acts

upon the same subject, or subjects so kindred as should be treated together, which after various amendments to each, have become so involved that no lawyer can safely predict what rights or remedies belong under them to his client, in advance of the decision of the Supreme Court. In other instances the court, after having interpreted a statute before them, have found themselves compelled by the effect of others and former decisions based on them, and a just regard for the rights of property presumably vested in the judicial action, to recant their interpretation and determine against the plainer and clearer reading, in favor of one, before thought inadmissible. Witness, chapters 78, and 148, of the revised statutes of 1858, with their amendments, on the subject of *corporations*; and *Lawrence vs. Kenney*, 32 Wis., 281, on *tax title limitations*. This of statutes that ought to be so plain and unambiguous, that interpretation should not be allowable!

When a careful consideration shall have been bestowed upon the present condition of the statute law, and it shall have come to be clearly perceived, how immeasurably short that condition is of the objects so indicated, which they cannot but regard as proposed to their endeavors by the act of 1875, and what are the difficulties that must inevitably oppose success, it will not be esteemed an affectation in the undersigned, that they declare with how heavy a look they contemplate the prospect, and the insufficient abilities they can bring to the task.

The revisers appointed by the court were each employed in active professional practice, and were each engaged, before the time of their appointment, in numerous causes to be tried during the year. Not only because of their obligations to clients, but because their employment for the public was to be for a limited period only, it would have been unreasonable to have expected, and at the time of their appointment it was not required of them to renounce their engagements or wholly to surrender their practice at the bar. It was supposed that they would reasonably subordinate future business to the work of revision, and, disposing of previous engagements as rapidly as might be done consistently with duty, would apply themselves with reasonable diligence and devotion to their duties to the State. This has been done; yet, unavoidably, previously-contracted obligations have consumed much time during the past year. With the relief which they have obtained, they hope to be able to meet hereafter every reasonable requirement. Some delays were, during the past year, occasioned by the opinion entertained that a part of the work already demanded the joint action of at least two, and from inconvenience in arranging their meetings, arising from conflict in the time of their individual engagements, the fall terms of court necessarily suspended their work, from the causes already explained, and which are not expected to operate again so unfavorably. They then suspended the employment of a clerk. It has seemed a matter of personal justice to themselves that attention should be called to the circumstances here recounted.

The commission was organized on the 2d day of April last,

David Taylor being chosen as chairman of the board, and E. A. Spencer, as clerk. After consideration of the plan upon which they should proceed, it was determined to begin by a joint analysis and arrangement of the general statutes into five principal parts, with division into titles and subdivision into chapters, leaving the analysis of the chapters to be settled as the work proceeded. This was provisionally done in a few days.

The general laws were then to be carefully examined, from the first session of the territorial legislature in 1836, up to the session of 1875, and those of general and permanent character noted, provisional memoranda made for their incorporation in their proper place, and for the repeal of such as should be revised. This was thoroughly done, mostly by David Taylor, with the assistance of Mr. Spencer. It will perhaps show the necessity of such an examination to remark, that it was proved that some acts of importance and general character still survive from territorial times. The plan adopted, then required that the statutes should next be collocated, and their general arrangement and distribution into sections be made, and thus the contents of each section and chapter, with the source from which it was to be taken, be provisionally determined, by the joint action of at least two revisers. Upon the accomplishment of this, the work was to be distributed, in parts, to the several revisers, by a mutual partition, and the parts designated carefully reviewed by the respective individuals, errors noted and corrected, or reserved, if doubtful, for consultation by correspondence or on meeting; and subsequently the whole was to be re-examined by all together, and thus completed for submission to the legislature. This scheme, it was believed, provided for the benefit of joint action in the most important particulars, and secured all that could be well attained of expedition, by separate individual action on different parts. Our subsequent experience, although it has corrected some preconceived ideas in other respects, has fully confirmed our judgment, that this plan is best adapted to achieve as expeditiously as possible the objects proposed.

Entertaining the belief that they should, without doubt, accomplish that part of the work during the year 1875, the revisers began during the summer months to collate and arrange the laws into the designated chapters, and distribute into sections. It was not designed to change a considerable number of them as they are now disposed.

But almost from the very beginning it proved apparent, that there had been an entire misconception of the time which must needs be consumed if the task should be faithfully done. It became necessary to study with care each new chapter considered, and every section prepared, in its relation to the whole work, and to the subjects to which it applied. While all the revisers thought themselves ordinarily familiar with the general statutes, and one at least, (this is written of him,) had enjoyed peculiar and superior advantages for acquiring that knowledge, it transpired that the familiarity which is abundant for the uses of interpretation and application to practice, is greatly inferior to that which will enable to arrange,

distribute, and revise. The former is a knowledge which no lawyer ever makes use of without special and particular study of the statutes, in each case which requires his action. He rarely presumes to speak or act upon statute law without the open page before him. Said Lord Coke, "If I am asked a question of common law, I should be ashamed if I could not immediately answer it; but if I am asked a question of statute law, I should be ashamed to answer it without referring to the statute book." It transpired, also, that such and so many have been the changes in the revision of 1858, and such the necessity for new construction of sections, that very many more required re-writing, than it was pre-supposed; and in order to state accurately the law as it is, often a considerable time must be devoted to examining many statutes and determining their true meaning, involving the consultation of judicial decisions upon them, and the application of the rule for interpretation.

It has thus happened that many hours have sometimes been necessary to prepare a single section. Now ought this to provoke surprise? The courts are in the daily habit of hearing arguments to aid them, and of employing sometimes hours of research, in order to settle the vexed question of statutory construction, which spring from the application only of occasional passages in the general laws. It is the duty of the revisers, so far as they can, to anticipate the difficulties of construction that might arise upon any point, determine what the statute is, and, if possible, to prevent controversy by a plain and unambiguous expression of its meaning. It has been a hope from the beginning, and the results so far accomplished fully confirm its reasonableness, that if the statutes in *pari materia*, shall be properly consolidated, and all shall be purged of their redundancy and tautology, the whole body may be so condensed as to be containable within a single volume of no very inconvenient size. Should this be successfully and satisfactorily done, the retrenchment in the expenses of printing and binding on such a number of copies as the State would probably cause to be printed would more than cover the whole expense of revision. Every page of matter saved by the expurgation of unnecessary and superfluous words, is indeed a pecuniary gain; yet of trifling moment compared with the benefits which ought to follow the greater perspicuity in expression from the happy performance of such a task. It is, however, within the experience of every one, whose habits have turned him to it, that no labor of literary composition is so slow as that of writing little to express much. It is doubly true of the composition of a sentence to be exactly expressive of the law.

Further comment in just explanation of the character and quality of the labor assigned the revisers might well be made, but must be foreborne. Anything less it has seemed might expose to unjust misconception the labors which have been performed by the revisers so far as they have gone, and their expectations for the future.

It is not sought to show that others of greater abilities and powers of comprehension and composition might not have done better and worked faster than the present commission. Nor to maintain that others might not prosecute the work in the future more cheaply and with greater expedition and satisfaction.

The foregoing remarks in response to the resolution of your honorable body and their protracted character illustrates the defects of hasty composition, are submitted to explain the statement that what the revisers have already done is, proportionally to the whole work, perhaps one-fourth, by estimate; less rather than more; and the answer which they are compelled to submit to the third question, that they are unable, utterly unable to predict, with any sort of probability, how many days or weeks, even, will be required to complete the work.

It is expected that no serious interruption arising from the engagements of the undersigned, will disturb the progress of the work before April, and it is hoped May next. That it may then shortly be resumed and prosecuted during the summer, with perhaps some interferences which the nature of the of the hundredth year will beget. It is hoped that by mid-summer or autumn the arrangement and distribution into chapters and sections, on which they are now engaged, may be completed. It cannot be candidly promised, that the whole work can be ready for submission to the next legislature, if it shall go on according to the plan proposed, although perhaps not absolutely impossible. It can be promised with safety, at most, that if it should be desired, the first and possibly the second parts covering in a general way the subjects embraced in the first volume and part of the second, of Taylor's Statutes, may be prepared and reported at the next session. The present law would not authorize that course.

It may be added that those revisions which have elsewhere obtained the approbation of the public have not, so far as we are advised, been more speedily accomplished.

The revision of the statutes of New York, known as the revision of 1830, which has maintained high celebrity in the profession, was begun in 1825. The revision now in progress in the same State, was begun in 1870, and has as yet progressed so far only as the complete preparation of the third part, and partial preparation of the others corresponding, generally, though with necessarily many more provisions, touching the numerous courts of that State, to the third part of our revised statutes. Yet the revisers say they have almost surrendered practice in order to give it unintermitted devotion. The revision of the statutes of the United States was begun and partly finished under the act of 1866, and revived and completed under the act of 1870, so as to be enacted in 1874.

It is understood that above three full years have been employed in Illinois upon the revision. The justices of the Supreme Court fixed the compensation of the revisers at fifteen dollars per day for each day actually employed. It was difficult to apply any other than a per diem compensation. It results, however, that much labor is really bestowed for which no time is charged. The undersigned have each charged only for the days spent in their joint labors with others of the commission.

David Taylor drew from the State Treasury for 67 days in 1875 \$1,005, and labored nine days more, not yet paid for. His actual expenses of attendance have been \$215. William F. Vilas drew for



44 days in 1875, \$660 in full for that year. Jedd. P. C. Cottrill has as yet drawn no money from the treasury. He has attended the joint action of the revisers at Madison 39 days, and his actual expenses of attendance have been \$129.60. In addition to the foregoing, the revisers have been engaged since the beginning of the past week. The days stated above include only the actual attendance at Madison, during which the revisers, or a majority of them, have been employed there. In addition, the revisers, during many of the days since their appointment, have worked separately and at home upon the subject committed to their charge. Among their first acts was the issue of a circular letter to all the judges, and to the entire bar of the State, inviting their attention to the subject of the revision, and asking for such suggestions in that behalf as occurred to them. They have received many letters and personal suggestions relative to the matters involved, and to all thus far received, have given careful attention, so that they may fairly say that the matter of the revision has been constantly before them, and has been constantly pressed upon their attention.

The justices fixed the compensation of a clerk for the revisers at \$150 per month. Mr. Spencer was paid at this rate from the 21st day of April to the end of October. At that time his functions were suspended on account of the engagements of the revisers before spoken of.

Respectfully submitted,

DAVID TAYLOR,  
WM. F. VILAS,  
J. P. C. COTTRILL.

*MONDAY, January 31, 1876.*

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### RESOLUTIONS INTRODUCED.

By Senator Rounds:

Res. No. 26, S.,

Relating to pay of clerks.

*Resolved*, That the clerks of the several committees shall be entitled to draw pay from the commencement of the present session.

The resolution was adopted.

By Senator Downs:

Jt. Res. No. 11, S.,

Proposing an amendment to the constitution of the State of Wisconsin.

To Committee on Legislative Expenditures.

By Senator Hiner:

Res. No. 25, S.,

Relating to an increase of tax levied on suits.

**WHEREAS**, Section 18, of article 7, of the constitution imposes a duty upon the legislature in the following language, to-wit:

"The legislature shall impose a tax on civil suits commenced or

prosecuted in the municipal, inferior, or civil courts, which shall constitute a fund to be applied toward the payment of the salary of judges."

In conformity thereto, section 84, of chapter 133, of the revised statutes provides that a tax of one dollar be paid on all suits commenced in the circuit courts.

We are informed by the report of the State Treasurer, on page 15, that the gross receipts for the year ending 1st October, 1875, arising from this source, was \$3,532.97, and on page 19 of the same report, that the disbursements on account of salaries for the supreme and circuit judges, for the year aforesaid, amounted to the sum of \$50,174 08, which facts clearly show, that the purposes of the provisions of the constitution aforesaid are practically defeated, therefore

*Resolved, by the Senate,* That the Committee on Finance be instructed to inquire into the propriety of increasing the tax on suits, so that suitors shall, in some reasonable degree, contribute to the maintenance of the courts as contemplated by the constitution; and report to the Senate at an early day, by bill or otherwise.

The resolution was referred to the Committee on Finance.

#### BILLS INTRODUCED.

Read first and second times and referred.

By Senator Schuette:

No. 104, S.,

A bill to repeal chapter 97, of the laws of 1870, entitled, "an act to exempt from execution a printing press and presses, and printer's material to the amount of fifteen hundred dollars."

To Committee on State Affairs.

By Senator Barney:

No. 105, S.,

A bill to appropriate to the Dodge County Agricultural Society a sum of money therein named.

To Committee on Claims.

By Senator Barron:

No. 106, S.,

A bill to permanently provide for deficiencies in the University Fund Income.

To Committee on Education.

By Senator Barron:

No. 107, S.,

A bill to provide for the increase of State school money, and to raise an annual State tax for that purpose.

To Committee on Education.

By Senator Potter:

No. 108, S.,

A bill to authorize the trustees of the State library to donate duplicate volumes to the Milwaukee law library association.

To Committee on State Affairs.

By Senator Scott:

No. 109, S.,

A bill in relation to the organization of towns.

To Committee on Judiciary.

By Senator McFarland:

No. 110, S.,

A bill relating to the change of venue in civil cases.

To Committee on Judiciary.

By Senator Barron:

No. 111, S.,

A bill to amend chapter 223, of the laws of Wisconsin of 1875, entitled, "an act to lay out and establish a State road from the village of St. Croix Falls, in Polk county, to and intersecting State road established from New Richmond to Ashland."

To Committee on Roads, Bridges and Ferries.

By Senator Barron:

No. 112, S.

A bill to authorize the county of Burnett to build and maintain a free bridge across the St. Croix River, in town thirty-eight, (38,) north of range twenty (20) west.

To Committee on Roads, Bridges, and Ferries.

By Senator Barron:

No. 113, S.,

A bill to amend chapter 303, of the laws of Wisconsin of 1874, entitled, "an act to facilitate the execution of trusts in certain cases."

To Committee on Railroads.

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## REPORTS OF COMMITTEES.

The Committee on State Affairs, to whom was referred,

No. 92, S.,

A bill to authorize the taking of fish in the public waters of the State, for the purposes of artificial propagation.

Respectfully report that they have had the same under consideration, and instructed me to report the same back to the Senate, and recommend the passage of the same.

L. W. BARDEN

*Chairman.*

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The Committee on State Affairs, to whom was referred,

No. 43, A.,

A bill to authorize the taking or catching of certain kinds of fish in Geneva Lake, Walworth county, at any time throughout the year.

Respectfully report that they have had the same under consideration, and report the same back to the Senate with the recommendation that it do pass.

L. W. BARDEN,  
*Chairman.*

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To Committee on State Affairs to whom was referred,  
No. 101, S.,

A bill to amend section 1, and repeal section 7, of chapter 146, of the general laws of 1872, entitled, an act to authorize the organization of corporations for other than manufacturing, mercantile, insurance, banking, transportation or trading purposes.

Respectfully report the same back to the Senate and recommend the passage of the same.

L. W. BARDEN,  
*Chairman.*

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The Committee on State Affairs, to whom was referred,  
No. 90, S.,

A bill to amend chapter 343, of the private and local laws of 1870, entitled "an act to amend chapter 140, of the private and local laws of 1859, entitled 'an act to amend an act entitled an act to incorporate the village of Monroe, and the acts amendatory thereof,'"

Respectfully report that they have had the same under consideration, and report the same back to the Senate, and recommend that it be referred to the the Committee on Internal Improvements.

L. W. BARDEN,  
*Chairman.*

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So referred.

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The Committee on Enrolled Bills has presented the following to his excellency, the Governor, for signature:

Jt. Res. No. 9, S.,

Instructing and requesting our Senators and Representatives in Congress to oppose a certain bill in Congress.

R. J. FLINT,  
*Chairman.*

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The Committee on Enrolled Bills, has presented the following to his excellency, the Governor, for signature:

Jt. Res. No. 6, S.,

Relating to the erection by the United States Government of a custom-house, post-office, and other public buildings, at Green Bay, Wisconsin.

No. 38, S.,

A bill relating to Racine College, and amendatory of section 4, of chapter 65, of the private and local laws of 1852, as amended by chapter 28, of the private and local laws of 1861.

R. J. FLINT,  
*Chairman.*

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The Committee on Incorporations, to whom was referred bill No. 43, S.,

A bill to provide for the corporation of fire departments in unincorporated villages.

Report same back with amendment, and recommend passage when so amended.

No. 89, A.,

A bill to authorize the city of Janesville to purchase a steam fire engine.

Have had the same under consideration, and instructed me to report same back with recommendation that it pass.

THOMAS B. SCOTT,  
*Chairman.*

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The Joint Committee on Claims has had under consideration No. 11, S.,

A bill to appropriate to the Wisconsin State Agricultural Society a sum of money therein named,

And has directed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

The Committee on Claims has had under consideration

No. 27, S.,

A bill to appropriate to Wm. P. Stowe five hundred and twenty-seven dollars, and interest.

No. 39, S.,

A bill to appropriate to Conrad Krez a sum of money therein named.

And a majority have directed me to report the same back with the recommendation that they do pass.

FRANCIS CAMPBELL,  
*Chairman.*

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The Committee on Roads Bridges and Ferries, to whom was referred,

No. 30, S.,

A bill to amend chapter 152, of general laws of 1869, entitled,

"An act to codify the laws of this State relating to highways and bridges."

Have had the same under consideration, and have instructed me to report the same back with recommendation that it do pass.

JOHN SCHUETTE,  
*Chairman.*

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The Joint Committee on Charitable and Penal Institutions, to whom was referred.

No. 89, S.,

A bill to provide for the acquiring title to certain pieces of land lying within the limits of lands owned by the State, for the use of the Wisconsin State Hospital for the Insane.

Have had the same under consideration, and have instructed me to report the bill back with an amendment, and recommend its passage when so amended.

No. 64, S.,

A bill to appropriate to the Institution for the Education of the Blind, the sum of five thousand dollars.

Have had the same under consideration, and have instructed me to report the bill back with an amendment, and recommend its passage when so amended.

H. N. DAVIS,  
*Chairman.*

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The Committee on Engrossed Bills have examined and find correctly engrossed the following bills:

No. 18, S.,

A bill to appropriate a sum of money therein named, for the use of the Wisconsin Hospital for the Insane, for the payment of current expenses, for repairs and improvements, and for deficiency.

No. 34, S.,

A bill to appropriate a sum of money therein named, for the payment of current expenses at the State Prison for the year ending March 1, 1877.

No. 58, S.,

A bill to amend section 1, of chapter 46, of the general laws of 1869, entitled "an act to protect the lands and timber thereon, granted to the St. Croix and Lake Superior Railroad Company."

No. 60, S.,

A bill to authorize the Secretary of State to order the binding of the reports of the State Superintendent of Public Instruction.

M. C. No. 8, S.,

For an increased appropriation for the extension of the signal service.

No. 20, S.,

A bill to appropriate a sum of money therein named, for the use of the Northern Hospital for the Insane, for the payment of current expenses, and for improvements.

No. 28, S.,

A bill to amend chapter 22, of the laws of 1875, entitled, "An act to amend chapter 136, laws of 1874, entitled, 'An act for the preservation of fish in Dell Creek.'"

D. E. WELCH,  
*Chairman.*

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#### REPORT OF SELECT COMMITTEE.

The select committee, to whom was referred

No. 35, S.,

A bill to amend chapter 247, of the private and local laws of 1869, entitled, "an act to incorporate the city of Grand Rapids."

Has had the same under consideration, and report several amendments, and passage of same when so amended.

THOMAS B. SCOTT,  
*Committee.*

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 61, A.,

A bill for division of the counties of Clark and Marathon, and the erection of the county of Langlade.

M. C. No. 2, A.,

Memorial to Congress for an extension of mail route and increase of service thereon, in Green county, Wisconsin, from New Glarus via Dayton to Brooklyn Station.

And has adopted, and asks the concurrence of the Senate in,

Jt. Res. No. 6, A.,

Tendering thanks to the President of the United States, and other officers.

Jt. Res. No. 10, A.,

Relating to Centennial appropriation.

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#### ASSEMBLY MESSAGES CONSIDERED.

No. 61, A.,

Was referred to the Committee on Town and County Organization.

M. C. No. 2, A.,

Was referred to Committee on Federal Relations.

Jt. Res. No. 10, A.,

Was concurred in.

Jt. Res. No. 6, A.,

Tendering thanks to the President of the United States, and other officers.

The question being on concurring in its passage,

Senator Hudd offered the following substitute :

That the thanks of the people of Wisconsin are tendered to Secretary Bristow and subordinates, especially to J. C. McKenney, Esq., the able and efficient assistant district attorney, and to Hon. Luther S. Dixon, his associate, for the vigorous prosecution of the violators of the revenue laws of the United States.

*Resolved, further,* That while heartily approving of the words said to be used by President Grant, viz: "Let no guilty man escape," we are anxious that a full and fair trial be given to the President's secretary, General Babcock, charged with complicity in the revenue frauds, to the end that, if found guilty, he may be dismissed the civil and military service, positions that he now holds with the approval of President Grant.

*Resolved, further,* That his excellency, the Governor, is requested to transmit a copy of this resolution to the President of the United States, Secretary Bristow, at Washington, D. C., and to J. C. McKenney, and Hon. Luther S. Dixon, of Milwaukee.

On motion of Senator Barron,

The resolution and accompanying substitute was referred to the Committee on Federal Relations.

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### THE SPECIAL ORDER.

M. C. No. 3, S.,

Requesting an investigation to be made into the right of Geo. W. Cate to occupy a seat as member of Congress for the 8th district of Wisconsin, and the pending amendment offered by Senator Silverthorn, on the 27th ult., being the special order for this hour; and

The question being on the adoption of said amendment,

Senator Barron asked for a division of the question on striking out and inserting, as proposed by said amendment.

The question being divided, the Senate refused to strike out as proposed by said amendment.

The question then being on adopting said amendment, to be inserted before the last paragraph, commencing on page four of the printed memorial,

Senator Flint offered the following amendment to the amendment:

Amend the amendment offered by Senator Silverthorn, by striking out the last paragraph thereof, and insert in lieu thereof the following:

"And your memorialists further represent upon information, that in the town of Eagle Point, in the county of Chippewa, 95 votes were cast for A. S. McDill, and 263 votes for George W. Cate, and



in the town of Bloomer, in said county, 88 votes were cast for A. S. McDill, and 121 for George W. Cate, and in neither of said towns, as we are informed, was there any registry of electors whatever, but the votes cast were returned and canvassed for the persons receiving them."

And your memorialists further represent that the votes so cast as aforesaid in the town of Superior, in the county of Douglas, and the towns of Eagle Point and Bloomer, in the county of Chippewa, were properly counted for the respective persons receiving them, for we should deem it an act of gross injustice and against all precedent, to reject the votes of persons legally entitled to vote, for no better reason than that officers charged with conducting elections neglected some of their ministerial duties, when no actual fraud on the part of such officer or the persons voting is alleged. But, if the failure of the boards of registry in the town of Superior, Douglas county, and in the towns of Eagle Point and Bloomer, in Chippewa county, rendered the votes cast in those towns illegal, then 292 votes cast for Mr. McDill and 424 votes cast for Mr. Cate must be subtracted, leaving the vote to stand as follows:

A. S. McDill received, 9,248 votes.

George W. Cate received, 9,078 votes.

—a majority of 170 for A. S. McDill.

The question being on the adoption of the amendment to the amendment, it prevailed,

And said amendment, as thus amended, was then adopted.

Senator Hudd offered the following amendment:

And it is also understood and charged that said A. S. McDill did agree, by himself and his political friends that, in consideration of receiving the appointment of superintendent of the State Insane Asylum at Madison, Wisconsin, (which appointment said McDill did receive, and enter upon the discharge of the duties of such superintendent,) he, said McDill, would abandon all claim to a seat in the House of Representatives by virtue of the said claim of election under the vote so cast on the 3rd day of November, 1874, and, accordingly, did so stipulate and agree to waive all claim or right to a seat in the House of Representatives.

The question being on adopting the amendment,

The ayes and nays were called for,

And it was lost by the following vote:

Ayes—Senators Barney, Cavanagh, Eastman, Hudd, McFarland, Mitchell, and Silverthorn—7.

Nays—Senators Baker, Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Nevins, Rounds, Scott, Tate, Treat, and Welch—19.

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#### SENATE BILLS ON THEIR THIRD READING.

M. C. No. 8, S.,

For an increased appropriation for the extension of the signal service.

No. 28, S.,

A bill to amend chapter 22, of the laws of 1875, entitled, "an act to amend chapter 136, laws of 1874, entitled, 'An act for the preservation of fish in Dell Creek.'"

No. 58, S.,

A bill to amend section 1, of chapter 46, of the general laws of 1869, entitled, "an act to protect the lands and timber thereon, granted to the St. Croix and Lake Superior Railroad Company."

Were each read a third time and passed.

No. 60, S.,

To authorize the Secretary of State to order the binding of the report of the State Superintendent of Public Instruction.

Was read a third time, and passed by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, McFarland, Mitchell, Nevins, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, and Wilmot—30.

Nays—Senator Welch—1.

No. 18, S.,

A bill to appropriate a sum of money therein named for the use of the Wisconsin Hospital for the Insane for the payment of current expenses, for repairs and improvements, and deficiency.

No. 34, S.,

A bill to appropriate a sum of money therein named for the payment of current expenses at the State Prison for the year ending March 1, 1877.

Were each read a third time and passed by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, McFarland, Mitchell, Nevins, Reed, Rounds, Ryan, Schuette, Scott, Tate, Treat, Welch, and Wilmot—29.

Nays—0

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### SENATE BILLS READY FOR ENGROSSMENT.

No. 30, S.,

A bill to amend chapter 152, of general laws of 1869, entitled "an act to codify the laws of this State relating to highways and bridges."

No. 39, S.,

A bill to appropriate to Conrad Krez a sum of money therein named.

No. 92, S.,

A bill to authorize the taking of fish in the public waters of the State, for the purposes of artificial propagation.

No. 101, S.,

A bill to amend section 1, and repeal section 7, of chapter 146,

of the general laws of 1872, entitled, "an act to authorize the organization of corporations for other than manufacturing, mercantile, insurance, banking, transportation, or trading purposes."

Were severally ordered engrossed.

No. 27, S.,

A bill to appropriate to Wm. P. Stowe five hundred and twenty-seven dollars and interest.

Was ordered engrossed by the following vote:

Ayes—Senators Baker, Barney, Barron, Blair, Bryant, Cavanaugh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, McFarland, Mitchell, Nevins, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate and Wilmot—26.

Nays—Senators Barden, Campbell, Treat, and Welch—4.

The amendments to

No. 35, S.,

A bill to amend chapter 247, of the private and local laws of 1869, entitled "an act to incorporate the city of Grand Rapids."

No. 63, S.,

A bill to provide for the corporation of fire departments in incorporated villages.

No. 64, S.,

A bill to appropriate a sum of money therein named to the Institution for the Education of the Blind, for the purpose of paying indebtedness incurred in furnishing the wing of said building with furniture and fixtures.

No. 89, S.,

A bill to provide for acquiring title to certain pieces of land within the grounds of the Wisconsin State Hospital for the Insane.

Were adopted, and the bills severally ordered engrossed.

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### ASSEMBLY BILLS READY FOR A THIRD READING.

No. 43, A.,

A bill to authorize the taking or catching of certain kinds of fish in Geneva Lake, Walworth county, at any time throughout the year.

No. 89, A.,

A bill to authorize the city of Janesville to purchase a steam fire engine.

Were each ordered to a third reading.

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On motion of Senator Bryant,  
The Senate adjourned.

THURSDAY, FEBRUARY 3, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

Prayer by the Rev. E. D. Huntley.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, Welch, and Wilmot.

On motion of Senator Barron,

The report of the revisers received on yesterday, was referred to the Committee on Judiciary.

### COMMUNICATIONS.

#### *To the Legislature of the State of Wisconsin:*

I would respectfully report to your honorable bodies that the amount of logs scaled, and timber and sawed lumber measured in Lumber District No. 10, of the State of Wisconsin, for the year ending December 31, 1875, to be as follows:

|                            |                  |
|----------------------------|------------------|
|                            | Feet.            |
| Logs scaled.....           | 1,251,844        |
| Sawed lumber measured..... | 49,394           |
| Total .....                | <u>1,301,238</u> |

I would respectfully report further to your honorable bodies that the foregoing figures do not approximate to a representation of the annual product of logs and lumber in this district, for the reason

that the inspector of the district, as the law now stands, is not called upon by loggers and lumbermen to perform any official duties, except now and then upon small outside lots. Therefore, for the purpose of showing as nearly as possible the amount of logs cut and lumber manufactured in this district, for the year ending December 31, 1875, I have carefully made the following estimates, viz.:

## AMOUNT OF LOGS CUT.

|  | Feet.             |
|--|-------------------|
| Wisconsin River.....                               | 22,700,000        |
| Tomahawk River (a tributary of the Wisconsin)..... | 4,000,000         |
| Willow River.....do.....                           | 6,200,000         |
| Copper River.....do.....                           | 3,000,000         |
| New Wood River.....do.....                         | 800,000           |
| Devil Creek.....do.....                            | 1,600,000         |
| Bearskin River.....do.....                         | 3,000,000         |
| Spirit River.....do.....                           | 3,100,000         |
| Sinno River.....do.....                            | 13,900,000        |
| Rice River.....do.....                             | 1,600,000         |
| Little Rib River.....do.....                       | 2,500,000         |
| Trappe River.....do.....                           | 2,000,000         |
| Big Eau Claire River.....do.....                   | 11,500,000        |
| Sandy River.....do.....                            | 1,000,000         |
| Prairie River.....do.....                          | 4,700,000         |
| Little Eau Pleine.....do.....                      | 3,500,000         |
| Big Eau Pleine.....do.....                         | 2,000,000         |
| Total amount of logs cut.....                      | <u>87,100,000</u> |

## AMOUNT OF LUMBER MANUFACTURED.

|                                       | Feet.             |
|---------------------------------------|-------------------|
| Jenny Mill.....                       | 5,500,000         |
| Pine River Mill.....                  | 2,000,000         |
| Trappe River Mill.....                | 3,500,000         |
| Little Rib Mill.....                  | 2,500,000         |
| Wausau Mills (3).....                 | 18,000,000        |
| Mosinee Mill.....                     | 5,000,000         |
| Knowlton Mill.....                    | 2,000,000         |
| Big Eau Pleine Mill.....              | 1,000,000         |
| Eau Claire Mill* (3).....             | 10,000,000        |
| Sandy Mill.....                       | 1,000,000         |
| Callon's Portable Mill.....           | 1,500,000         |
| Little Eau Pleine Mill.....           | 1,500,000         |
| Total amount lumber manufactured..... | <u>53,500,000</u> |

## RECAPITULATION.

|  |                   |
|--|-------------------|
| Total amount of logs cut.....            | 87,100,000        |
| Total amount of lumber manufactured..... | <u>53,500,000</u> |

I would respectfully suggest to your honorable bodies, that the law be so amend as to provide as follows:

1. All persons who shall hereafter cut and manufacture logs and lumber in the several lumber districts of this State, shall, within thirty days thereafter, file an accurate description of their several marks upon said logs and lumber, in the office of the lumber inspector of their district; and it is hereby made the duty of the lumber inspec-

tors to record said marks, the description of which shall be filed in their office as aforesaid, for which they shall be entitled to receive as fees, the sum now provided by statute therefor.

2. Any person who shall hereafter cut and manufacture logs and lumber in the several lumber districts of this State, and shall neglect or refuse to comply with the requirements of this act in relation to the filing of the descriptions of said marks, as set forth in the preceding section, is hereby declared to be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars, nor more than one hundred dollars, of which offense justices of the peace shall have concurrent jurisdiction with the circuit court.

3. The lumber inspectors of the several districts of this State, shall annually, on the first day of May, report to the several assessors of the cities, villages, or towns in this State, in which the parties reside (if their residence is known to him,) who have cut or own logs, or who own or have had lumber manufactured within their district, the amount in feet, of logs so cut or owned, or of lumber manufactured or owned during the past year.

4. It is hereby made the duty of the lumber inspectors of the several districts of this State, to enter upon and scale all logs cut and lumber manufactured within their districts, and when the said logs, lumber, and marks shall have been so surveyed, the owner or owners of the same shall pay, upon demand therefor, as the fees of said lumber inspector, the sum now provided by statute therefor.

Respectfully submitted,

H. L. WHEELER,  
*Lumber Inspector, 10th District.*

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## MEMORIALS PRESENTED AND REFERRED.

By Senator Hiner:

Mem. No. 50, S.,

Of Mrs. Beals, Mrs. B. S. Patty, and others, for an appropriation to the Home of the Friendless, Fond du Lac.

To Committee on Charitable and Penal Institutions.

By Senator Flint:

Mem. No. 51, S.,

Of Daniel P. Chamberlain, Alfred Parker, R. S. Drew, and 41 others, praying for the repeal of the law exempting the lands of the West Wisconsin Railway from taxation.

To Committee on Railroads.

By Senator Flint:

Mem. No. 52, S.,

Of Robert McCauley, Geo. Galloway, E. B. Manwaring, and 47 other citizens of Menomonie, Dunn county, praying for the repeal of the law exempting the lands of the West Wisconsin Railway from taxation.

To Committee on Railroads.

## RESOLUTIONS INTRODUCED.

By Senator Potter:

Res. No. 27, S.,

Requesting Railroad Commissioners to furnish information relating to freights.

*Resolved*, That the Railroad Commissioners are requested to inform the Senate, of the rate per ton per mile, now allowed by law on merchandise, machinery, and miscellaneous freights for first, second, third, and fourth classes, and also for one and a half and double first class, purchased in Milwaukee and shipped by Milwaukee and St. Paul and West Wisconsin Railways to Black River Falls; and also on the same classes of goods, shipped from Milwaukee to Eau Claire; and the Commissioners are also requested to make an estimate showing, as near as may be, the average number of miles which each ton of merchandise purchased in Milwaukee and consumed in Wisconsin, is hauled by the railways, and the rate per ton per mile now allowed by law on each of the foregoing classes for the said average distance.

The resolution lies over.

## BILLS INTRODUCED.

Read first and second times and referred.

By Senator Ryan:

No. 114, S.,

A bill to appropriate money to the Outagamie county agricultural society.

To Committee on Claims.

By Senator Potter:

No. 115, S.,

A bill to establish the salaries of State officers.

To Committee on State Affairs.

By Senator Barney:

No. 116, S.,

A bill to amend chapter 86, laws of 1872, entitled an act conferring jurisdiction on the county court of Dodge county.

To Committee on Judiciary.

By Senator Silverthorn:

No. 117, S.,

A bill in relation to new trials in civil and criminal actions.

To Committee on Judiciary.

By Senator Silverthorn:

No. 118, S.,

A bill to appropriate to Reuben May a sum of money to cover his expenses in contested election case.

To Committee on Claims.

By Senator Tate:

No. 119, S.,

A bill relating to sheriffs.

To Committee on Judiciary.

By Senator Ryan:

No. 120, S.,

A bill to codify, consolidate, and amend the act to incorporate the city of Appleton, and the several acts amendatory thereof.

To Committee on Judiciary.

By Senator Flint:

No. 121, S.,

A bill to amend chapter 80, of the general laws of 1872, entitled, "an act authorizing cities and villages to establish free public libraries and reading rooms."

To Committee on Education.

By Senator Barron:

No. 122, S.,

A bill to extend the time for settlers upon certain land-grant lands to acquire title thereto.

To Committee on Railroads.

By Senator Barron:

No. 123, S.,

A bill to amend section 6, of chapter 134, entitled, "of executions and proceeding supplementary thereto."

To Committee on Judiciary.

By Senator Barron:

No. 124, S.,

A bill to amend sections 4 and 5, of chapter 164, of the private and local laws of 1870, entitled, "an act to amend chapter 452, of the private and local laws of 1859, entitled, 'an act to incorporate the Nimokagan and Totogatic Dam Company.'"

To Committee on Judiciary.

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## REPORTS OF COMMITTEES.

The Committee on Railroads have had under consideration,  
No. 3, S.,

A bill to amend an act entitled "an act to incorporate the Mineral Point and Portage City Railroad Company," approved October 13, 1856.

And have instructed me to report the same back with an amendment, and recommend the passage thereof when so amended.

W. H. HINER,  
*Chairman.*

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The Committee on State Affairs, to whom was referred  
No. 108, S.,

A bill to authorize the trustees of the State library to donate duplicate volumes to the Milwaukee Law Library Association,



Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate with a recommendation of the passage of the same.

L. W. BARDEN,  
*Chairman.*

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The Committee on State Affairs to whom was referred bill  
No. 12, A.,

A bill relating to the erection of permanent land-marks, and amendatory of section 120, of chapter 15, of revised statutes, entitled, of towns and town officers, as amended by section 5, chapter 167, of general laws 1867.

Respectfully report that they have had the same under consideration, and report the same back to the Senate, and recommend that it do pass.

L. W. BARDEN,  
*Chairman.*

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The Committee on Incorporations, to whom was referred,  
No. 38, A.,

A bill to amend chapter 449, of the private and local laws of 1869, entitled an act to incorporate the city of Oconto,

Have had the same under consideration and respectfully report it back, with the recommendation that it do pass.

R. H. BAKER,  
*Acting Chairman.*

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The Joint Committee on Charitable and Penal Institutions ask leave to submit the following report:

Mem. Nos. 15 and 16, S.,

Asking that the law authorizing the payment of five dollars per month to soldiers' orphans until they arrive at the age of 14 years, be so amended as to entitle said orphans to the same monthly payment until they are 16 years of age.

Have had the same under consideration, and have instructed me to report them back with the following statement: Your committee find that a little over seven hundred, out of more than five thousand soldiers' orphans in this State, availed themselves of the advantages of the Soldiers' Orphans' Home. For these orphans the State has expended to the present time a little over three hundred thousand dollars for their education and support. There has been left to them by generous friends nearly thirty thousand dollars to be divided among them as they shall severally become of age. And in addition to this, nearly every one of these orphans are drawing pensions of two dollars per month from the United States.

It will be seen that the State has pursued a generous policy towards these public wards, and your committee do not deem it wise, viewed as a question of public policy, and the unfavorable effect it will be likely to have upon the orphans themselves in preventing that self-reliance which they should begin to exercise at the age of 14 years, to recommend the continuance of this allowance beyond the time now fixed by law. We therefore recommend that no amendments be made to the present law for this purpose.

H. N. DAVIS,  
*Chairman.*

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The Committee on Agriculture, to whom was referred bill  
No. 95, S.,

A bill relating to county agricultural societies, and to appropriate a sum of money therein named.

Respectfully report that they have had the same under consideration, and report the same back to the Senate with the recommendation that it do pass.

L. W. BARDEN,  
*Chairman.*

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The Joint Committee on Charitable and Penal Institutions, to whom was referred,

No. 103, S.,

And

Mem. Nos. 30 and 46, S.,

Have had the same under consideration, and have instructed me to report the same back, and recommend the passage of the bill.

H. N. DAVIS,  
*Chairman.*

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The Committee on the Judiciary, to whom was referred

No. 2, A.,

A bill to constitute the clerk of the circuit court of Winnebago county, Wisconsin, clerk of the county court of said county in probate, and all other proceedings therein.

No. 11, A.,

A bill to enable foreign trustees to sue in the State of Wisconsin,  
No. 14, A.,

A bill to legalize the acts of Ferdinand Ree, justice of the peace, in the county of Manitowoc.

No. 15, A.,

A bill to legalize the acts of Charles Heins, a justice of the peace, in the county of Manitowoc.

Has had the same under consideration, and instructed me to re-

port them back with the recommendation that they be concurred in, Senator Hudd dissenting from so much of the report as relates to No. 14, A., and No. 15, A.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary, to which were referred,

No. 67, S.,

A bill for the relief of the estate of John Reynolds, deceased.

No. 98, S.,

A bill to amend chapter 46, of the general laws of 1869, entitled, "an act to protect the lands and timber thereon granted to the St. Croix and Lake Superior Railroad Company."

No. 75, S.,

A bill in relation to attorneys' fees, in justice court.

No. 72, S.,

A bill to amend chapter 152, of the general laws of 1872, entitled "an act to authorize the county boards of supervisors in the several counties of this State to levy a special tax for county road purposes."

Has had the same under consideration, and instructed me to report them back, with recommendation that they pass.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary, to which were referred

No. 73, S.,

A bill to authorize John A. Jacobs to erect and maintain a dam in Burnett county.

No. 93, S.,

A bill to repeal chapter 348, of the laws of Wisconsin of 1874, entitled, "an act to amend chapter 46, of the general laws of 1869, entitled, 'an act to protect the lands and timber granted to the St. Croix and Lake Superior Railroad Company.'"

No. 96, S.,

A bill to provide for proving claims in justice court.

Has had the same under consideration, and instructed me to report them back with certain amendments, and the recommendation that they pass when thus amended.

H. D. BARRON,  
*Chairman.*

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#### REPORT OF SELECT COMMITTEES.

The select committee of two, to whom was referred,

No. 73, A.,

A bill to repeal chapter 298, of laws of Wisconsin of 1875,

entitled "an act to create a board of park commissioners for the west side of the city of Milwaukee."

Have had the same under consideration, and report the bill back with the recommendation that it pass.

JOHN L. MITCHELL,  
W. H. JACOBS,  
*Committee.*

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

Mr. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 168, A.,

A bill to amend section 15, of chapter 145, of the private and local laws of 1871, entitled an act to incorporate the village of Markesan, and to repeal chapter 222, of the private and local laws of 1868, entitled an act to incorporate the village of Markesan, and acts amendatory thereof,

And has concurred in,

Jt. Res. No. 10, S.,

Relating to Joint Rule No. 8.

And in Senate amendment to

Jt. Res. No. 4, A.,

Relating to reception of bills,

And present you for signature,

No. 35, A.,

A bill to to authorize the city of Appleton to fund its corporate indebtedness.

M. C. No. 1, A.,

Memorial to Congress for the establishment of a mail route between Osceola Mills, Polk county, Wisconsin, via. El Salem, Sucker Lake, Black Brook, Wagon Landing, and back to Osceola Mills.

The same having been signed by the Speaker.

Said bills were signed by the President.

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### ASSEMBLY MESSAGES CONSIDERED.

No. 168, A.,

Was referred to Committee on Incorporations.

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### ASSEMBLY BILLS ON THEIR THIRD READING.

No. 43, A.,

A bill to authorize the taking or catching certain kinds of fish

in Geneva Lake, Walworth county, at any time throughout the year.

No. 89, A.,

A bill to authorize the city of Janesville to purchase a steam fire-engine.

Were concurred in.

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### SENATE BILLS ON THEIR THIRD READING.

No. 20, S.,

A bill to appropriate a sum of money therein named for the use of the Northern Hospital for the Insane, for the payment of current expenses and for improvements,

Was passed by the following vote:

Ayes—Senators Baker, Barney, Barron, Blair, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hudd, Jacobs, McFarland, Mitchell, Nevins, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot—28.

Nays—0.

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### SENATE BILLS READY FOR ENGROSSMENT.

No. 67, S.,

A bill for the relief of the estate of John Reynolds, deceased.

No. 72, S.,

A bill to amend chapter 152, of the general laws of 1872, entitled "an act to authorize the county boards of supervisors in the several counties of this State to levy a special tax for county road purposes."

No. 75, S.,

A bill in relation to attorneys' fees, in justice court.

No. 98, S.,

A bill to amend chapter 46, of the general laws of 1869, entitled, "an act to protect the lands and timber thereon granted to the St. Croix and Lake Superior Railroad Company."

No. 108, S.,

A bill to authorize the trustees of the State library to donate duplicate volumes to the Milwaukee law library association.

Were ordered engrossed.

The amendments to

No. 3, S.,

A bill to amend an act entitled, "an act to incorporate the Mineral Point and Portage City Railroad Company," approved October 13, 1856.

No. 73, S.,

A bill to authorize John A. Jacobs to erect and maintain a dam in Burnett county.

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No. 93, S.,

A bill to repeal chapter 348, of the laws of Wisconsin, of 1874, entitled, "an act to amend chapter 46, of the general laws of 1869, entitled, 'an act to protect the lands and timber granted to the St. Croix and Lake Superior Railroad Company.'"

No. 96, S.,

A bill to provide for proving claims in justice court.

Were adopted, and the bills ordered engrossed.

No. 95, S.,

A bill relating to county agricultural societies, and to appropriate a sum of money therein named.

No. 103, S.,

A bill to appropriate a sum of money therein named to the Industrial School for Boys, for the purpose of introducing the manufacture of boots and shoes.

Were referred to the Committee on Claims.

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No. 11, S.,

A bill to appropriate to the Wisconsin State Agricultural Society a sum of money therein named.

Senator Eastman, moved to amend section 1, by striking out "annually" where it occurs therein.

Which amendment was adopted.

Senator Eastman moved to further amend, No. 11, S., by striking out "two thousand" and inserting in lieu thereof the words "one thousand."

The amendment was rejected.

Said bill was ordered engrossed.

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#### ASSEMBLY BILLS READY FOR A THIRD READING.

No. 2, A.,

A bill to constitute the clerk of the circuit court of Winnebago county, Wisconsin, clerk of the county court of said county, in probate, and all other proceedings therein.

No. 11, A.,

A bill to enable foreign trustees to sue in the State of Wisconsin.

No. 12, A.,

Relating to the erection of permanent land-marks, and amendatory of section 120, of chapter 15, of revised statutes, entitled, of towns, and town officers, as amended by section 5, chapter 167, of general laws, 1867.

No. 15, A.,

A bill to legalize the acts of Charles Heins, a justice of the peace in the county of Manitowoc.

No. 14, A.,

A bill to legalize the acts of Ferdinand Ree, a justice of the peace in the county of Manitowoc.

No. 38, A.,

A bill to amend chapter 449, of the private and local laws of 1869, entitled an act to incorporate the city of Oconto.

No. 73, A.,

A bill to repeal chapter 298, of the laws of Wisconsin, 1875, entitled an act to create a board of park commissioners for the west side of the city of Milwaukee,

Were ordered to a third reading

On motion of Senator Potter,  
The Senate adjourned.

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FRIDAY, FEBRUARY 4, 1876.

10 O'CLOCK, A. M.

The Senate met,

The Lieutenant-Governor presiding.

Prayer by the Rev. E. D. Huntley.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot.

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#### LEAVES OF ABSENCE.

Leave of absence was granted to Senator Farr until Tuesday.

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#### MEMORIALS PRESENTED AND REFERRED.

By Senator Barron:

Mem. No. 53, S.,

Of Oliver Demers and other citizens of Stanfold, in Barron county, for State aid in consequence of the failure of the crops and drouth.

To Committee on Claims.

By Senator Barney:

Mem. No. 54, S.,

Of James Dean, George Newton, Geo. Baker, and 32 others, for repeal of existing exemption laws.

To Committee on State Affairs.

By Senator Flint:

Mem. No. 55, S.,

Of Frank Catt, Torger Oleson, A. W. Hubbard, and 27 other citizens of the town of Peru, Dunn county, praying for the repeal of the law exempting the lands of the West Wisconsin Railway from taxation.

To Committee on Railroads.

By Senator Mitchell:

Mem. No. 56, S.,

Of N. Vankirk, John Plankington, and others, asking for an appropriation for State Historical Society.

To Committee on Claims.

By Senator Douglas:

Mem. No. 57, S.,

Of O. W. Nickelson, and 20 others, of Springfield, Jackson county, for repeal of laws of 1870, exempting lands of West Wisconsin Railway Company from taxation.

To Committee on Railroads.

By Senator Scott:

Mem. No. 58, S.,

Of E. S. Miner, John T. Kingston, and others, asking for an appropriation for State Historical Society.

To Committee on Claims.

By Senator Barden:

Mem. No. 59, S.,

Of N. H. Wood, against the repeal of the Potter-law.

To Committee on Railroads.

By Senator Barden:

Mem. No. 60, S.,

Of James Clapper, S. Hungerford, and 45 other citizens of Columbia county, and Adams county, against the repeal of the Potter-law.

To Committee on Railroads.

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## RESOLUTIONS INTRODUCED.

By Senator Barron:

Res. No. 28, S.,

Instructing the Committee on Education to consider the subject of printing the geological reports.

*Resolved*, That the Committee on Education is instructed to consider the subject of printing the geological reports now on file in manuscript in the capitol, and to report by bill or otherwise as soon as said committee can conveniently do so.

The resolution lies over.

By Senator Barron:

Jt. Res. No. 12, S.,

Directing the Secretary of State, to have printed the State Geologists report for 1875.



*Resolved, by the Senate the Assembly concurring,* That the Secretary of State is hereby directed to have printed for the use of the legislature, fifteen hundred copies of the State Geologist's report of progress for the year 1875.

The resolution lies over.

### BILLS INTRODUCED.

Read first and second times and referred.

By Senator Campbell:

No. 125, S.,

A bill relating to railroads, and to repeal section 2, of chapter 113, of the general laws of 1875, entitled an act to amend chapter 273, general laws of 1874, entitled an act relating to railroads, express, and telegraph companies in the State of Wisconsin.

To Committee on Railroads.

By Senator Silverthorn:

No. 126, S.,

A bill to amend section 1, of chapter 84, of the general laws of 1874, entitled, "an act to amend chapter 166, of the general laws of 1869, entitled, 'an act to repeal chapter 132, of the general laws of 1866, entitled, 'an act to vest the title of unredeemed lands in counties.',"

To Committee on Town and County Organization.

By Senator Scott:

No. 127, S.,

A bill to amend chapter 171, of the private and local laws of 1868, entitled, "an act to amend chapter 30, of the private and local laws of 1853, entitled, 'an act to incorporate the Wisconsin River Improvement Company, and to amend chapter 171, of the private and local laws of 1866, amendatory thereof.'"

To Committee on Judiciary.

By Senator Mitchell:

No. 128, S.,

A bill to authorize the Lake Avenue Company to convey its franchise and property.

To Select Committee consisting of Senators Mitchell and Jacobs.

By Senator Barden:

No. 129, S.,

A bill to provide compensation for indexing and completing the transcribing of the journals of the Senate and Assembly.

To Committee on Claims.

By Senator Barden:

No. 130, S.,

A bill to repeal chapter 150, of the general laws of 1868, entitled "an act relating to the collection of taxes," and all acts amendatory thereof.

To Committee on Judiciary.

By Senator McFarland:

No. 131, S.,

A bill to appropriate to the Iowa County Agricultural Society a sum of money therein named.

To Committee on Claims.

By Senator Barron:

No. 132, S.,

A bill to extend the time for the construction of the North Wisconsin Railway, and to waive the forfeiture incurred by the North Wisconsin Railway Company, by its failure to construct twenty miles of its road during the year 1875.

To Committee on Railroads.

By Senator Barron:

No. 133, S.,

A bill to amend section 3, of chapter 79, of the revised statutes of 1858, entitled "of railroads."

To Committee on Railroads.

By Senator Barney:

No. 134, S.,

A bill to repeal chapter 267, laws of 1873, entitled, "an act to authorize town supervisors to lay out public highways in certain cases.

To Committee on Roads, Bridges, and Ferries.

By Senator Barron:

No. 135, S.,

A bill for the preservation of fish in Long Lake in the counties of Barron and Burnett.

To Committee on State Affairs.

By Senator H. N. Davis:

No. 136, S.,

A bill to provide for the re-building of a portion of the Institute for the Education of the Blind, and to appropriate a sum of money therein named for that purpose.

To Committee on Charitable and Penal Institutions.

By Senator Hiner:

No. 137, S.,

A bill to fix the time of holding the several terms of the circuit court in the fourth judicial circuit.

To select committee consisting of Senators from the fourth judicial circuit, and ordered not printed.

By Senator Campbell:

No. 138, S.,

A bill to confer jurisdiction on the county court of La Fayette county.

To Committee on Judiciary.

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#### REPORTS OF STANDING COMMITTEES.

The Committee on Engrossed Bills have examined and find correctly engrossed the following bills:

No. 30, S.,

A bill to amend chapter 152, of general laws of 1869, entitled, "An act to codify the laws of this State relating to highways and bridges."

No. 64, S.,

A bill to appropriate a sum of money therein named to the Institution for the Education of the Blind, for the purpose of paying indebtedness incurred in furnishing the wing of said building with furniture and fixtures.

No. 92, S.,

A bill to authorize the taking of fish in the public waters of the State, for the purposes of artificial propagation.

No. 39, S.,

A bill to appropriate to Conrad Krez a sum of money therein named.

No. 43, S.,

A bill to provide for the corporation of fire departments in unincorporated villages.

No. 27, S.,

A bill to appropriate to Wm. P. Stowe five hundred and twenty-seven dollars, and interest.

No. 89, S.,

A bill to provide for the acquiring title to certain pieces of land lying within the limits of lands owned by the State, for the use of the Wisconsin State Hospital for the Insane.

No. 101, S.,

A bill to amend section 1, and repeal section 7, of chapter 146, of the general laws of 1872, entitled, an act to authorize the organization of corporations for other than manufacturing, mercantile, insurance, banking, transportation or trading purposes.

No. 35, S.,

A bill to amend chapter 247, of private and local laws of 1869, entitled an act to incorporate the city of Grand Rapids.

D. E. WELCH,  
*Chairman.*

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The Committee on the Judiciary, to which were referred,

No. 10, A.,

A bill for the enforcement of liens of inn-keepers, boarding-house keepers, livery-stable keepers, boarding-stable keepers, and agisters of live-stock.

No. 3, A.,

A bill to repeal chapter 342, of the laws of Wisconsin for 1875, an act, entitled an act to amend chapter 184, of the revised statutes, entitled of inquests of the dead.

No. 97, S.,

A bill in relation to evidence in suits on official bonds, and to recover public funds,

Has had the same under consideration, and instructed me to report them back, with the recommendation that they be indefinitely postponed, Senators Silverthorn and Potter dissenting from so much of the report as relates to No. 10, A., and Senator Potter dissenting from so much as relates to No. 97, S.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,  
Mem. No. 41, S.,

The petition of J. H. Pooler, and 20 others, for a change in the laws of interest.

Has had the same under consideration, and instructed me to report it back with the recommendation that no further action be had thereon.

H. D. BARRON,  
*Chairman.*

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The recommendation of the committee on said memorial was concurred in.

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The Joint Committee on Claims have had under consideration,  
No. 103, S.,

A bill to appropriate a sum of money therein named to the Industrial School for Boys, for the purpose of introducing the manufacture of boots and shoes.

And have directed me to report the same back to the Senate with the recommendation that the same do pass.

FRANCIS CAMPBELL,  
*Chairman.*

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The Committee on Railroads has had under consideration,  
No. 76, S.,

A bill to authorize the construction of a pontoon bridge or railway ferry from some feasible point in Buffalo county, State of Wisconsin, to some feasible point in the State of Minnesota.

And have instructed me to report the same back with the recommendation that it be passed.

W. H. HINER,  
*Chairman.*

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

Mr. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 181, A.,

A bill amendatory of section 24, chapter 151, general laws of 1869, entitled "an act to codify the laws relating to normal schools."

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#### ASSEMBLY MESSAGES CONSIDERED.

On motion of Senator Barron, the rules were suspended and  
No. 181, A.,  
Was concurred in.

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#### RESOLUTIONS CONSIDERED.

Res. No. 27, S.,  
Requesting Railroad Commissioners to furnish information relating to freights,  
Introduced on yesterday by Senator Potter.  
The resolution was adopted.

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#### ASSEMBLY BILLS ON THEIR THIRD READING.

No. 2, A.,

A bill to constitute the clerk of the circuit court of Winnebago county, Wisconsin, clerk of the county court of said county, in probate, and all other proceedings therein.

No. 11, A.,

A bill to enable foreign trustees to sue in the State of Wisconsin.

No. 12, A.,

A bill relating to the erection of permanant land-marks and amendatory of section 120, of chapter 15, of revised statutes, entitled, of towns and town officers, as amended by section 5, chapter 167, of general laws of 1867.

No. 14, A.,

A bill to legalize the acts of Ferdinand Ree, a justice of the peace in the county of Manitowoc.

No. 15, A.,

A bill to legalize the acts of Charles Heins, a justice of the peace in the county of Manitowoc.

No. 38, A.,

A bill to amend chapter 449, of the private and local laws of 1869, entitled an act to incorporate the city of Oconto.

And

No. 73, A.,

A bill to repeal chapter 298, of laws of Wisconsin, of 1875, entitled, "an act to create a board of park commissioners for the west side of the city of Milwaukee."

Were concurred in.

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## SENATE BILLS ON THEIR THIRD READING.

No. 30, S.,

A bill to amend chapter 152, of general laws of 1869, entitled, "an act to codify the laws of this State relating to highways and bridges."

No. 35, S.,

A bill to amend chapter 247, of the private and local laws of 1869, entitled, "an act to incorporate the city of Grand Rapids."

No. 63, S.,

A bill to provide for the corporation of fire departments in incorporated villages.

No. 92, S.,

A bill to authorize the taking of fish in the public waters of the State, for the purposes of artificial propagation.

And

No. 101, S.,

A bill to amend section 1, and repeal section 7, of chapter 146, of the general laws of 1872, entitled, "an act to authorize the organization of corporations for other than manufacturing, mercantile, insurance, banking, transportation, or trading purposes."

Were severally read a third time and passed.

No. 27, S.,

A bill to appropriate to Wm. P. Stowe five hundred and twenty-seven dollars and interest.

No. 39, S.,

A bill to appropriate to Conrad Krez a sum of money therein named.

Were passed by the following vote:

Ayes—Senators Baker, Barney, Barron, Blair, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, and Wilmot—26.

Nays—Senators Barden, Potter, Treat, and Welch—4.

No. 64, S.,

A bill to appropriate a sum of money therein named to the Institution for the Education of the Blind, for the purpose of paying indebtedness incurred in furnishing the wing of said building with furniture and fixtures.

No. 89, S.,

A bill to provide for acquiring title to certain pieces of land within the grounds of the Wisconsin State Hospital for the Insane.

Were referred to the Committee on Claims.

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SENATE BILLS READY FOR ENGROSSMENT.

No. 76, S.,

A bill to authorize the construction of a pontoon bridge or

way ferry from some feasible point in Buffalo county, State of Wisconsin, to some feasible point in the State of Minnesota.

No. 103, S.,

A bill to appropriate a sum of money therein named to the Industrial School for Boys, for the purpose of introducing the manufacture of boots and shoes.

Were severally ordered engrossed,

No. 97, S.,

A bill in relation to evidence in suits on official bonds, and to recover public funds.

Was indefinitely postponed.

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#### ASSEMBLY BILLS READY FOR A THIRD READING.

No. 3, A.,

A bill to repeal chapter 342, of the laws of Wisconsin, for 1875, entitled an act to amend chapter 184, of the revised statutes, entitled, of inquests of the dead ; and

No. 10, A.,

A bill for the enforcement of liens of inn-keepers, boarding-house keepers, livery-stable keepers, boarding-stable keepers, and agisters of live stock.

Were indefinitely postponed.

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On motion of Senator Hiner,  
The Senate adjourned.

SATURDAY, FEBRUARY 5, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

Prayer by the Rev. E. D. Huntley.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, Douglas, Downs, Eastman, Flint, Hathaway, Hiner, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot.

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#### LEAVES OF ABSENCE.

Leave of absence was granted,

Senator Wilmot, until Tuesday morning.

To Senators Ryan and Hudd, until Monday.

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#### COMMUNICATIONS.

The President laid before the Senate the following communication from the Railroad Commissioners:

STATE OF WISCONSIN,  
OFFICE OF RAILROAD COMMISSIONERS,

MADISON, February 4, 1876.

*To the honorable, the Senate of the State of Wisconsin:*

The undersigned, Railroad Commissioners, have the honor to transmit herewith a copy of a communication this day received from Albert Keep, Esq., president of the Chicago & Northwestern



tern Railway Company, in response to requests from this office of the dates January 30 and January 31, made in pursuance of resolutions No. 19 and 20, S., and resolution No. 24, A.

Respectfully,

JOHN W. HOYT,  
JOS. H. OSBORN,  
GEO. H. PAUL,  
*Commissioners.*

[Copy of letter from Mr. Albert Keep, President Chicago and Northwestern Railway Company.]

CHICAGO & NORTHWESTERN RAILWAY CO.,  
OFFICE OF THE PRESIDENT,  
CHICAGO, February 3, 1876.

DEAR SIR:—I am in receipt of your favor of the 29th of January, and herewith send you a copy of the circular issued by our treasurer, in New York, bearing date July 21, 1875, as requested.

I also wish to acknowledge the receipt of your other letter of same date, asking for an estimate of the average number of miles which each car load of lumber used in the State is hauled by the railroads in this State, and so forth. I am not able to give an intelligent answer to this question, at the present time, but have handed the letter to our general freight agent, with a request that he should immediately investigate the subject, and report at the earliest practicable moment.

As soon as I am able to obtain the information, so as to make any statement in which I have confidence, I will send it forward.

I also acknowledge receipt of your letter of January 31, making inquiries in regard to wheat shipment, and will take similar action in regard to it.

Yours truly,

ALBERT KEEP,  
*President.*

JOHN W. HOYT,  
JOS. H. OSBORN,  
*Railroad Commissioners, Madison, Wis.*

[Copy of financial circular of July 21, 1875, called for by Res. No. 20, S.]

General consolidated gold loan bonds of the Chicago and Northwestern Railway Company :

|                                |                   |
|--------------------------------|-------------------|
| Nominal issue .....            | \$48,000,000      |
| Reserved for substitution..... | 35,349,000        |
| Residue as authorized.....     | <u>12,651,000</u> |

These bonds bear date of November 30, 1872; are in denominations of \$500 and \$1,000, in coupon form; and of \$1,000, \$5,000, and \$10,000, in registered form, the coupon bonds being convertible at the will of the holder into registered bonds, and the latter transferable as often as described on the books of the company; all bear 7 per cent. gold interest, payable June 1 and December 1; principal payable in gold, in A. D. 1902, at the office of the company in the city of New York. The Union Trust Company, of New York, trustee.

The mortgage provides for a total issue of \$48,000,000, reserving therefrom \$35,349,000, which can be issued at the option of the company, but only in substitution of other prior bonds which are recited in the mortgage, and were outstanding at the date thereof, as follows:

|  |                   |
|--|-------------------|
| Chicago and Northwestern currency bonds of various issues.....               | \$8,812,500       |
| Chicago and Northwestern gold bonds of Madison and Menominee extensions..... | 5,850,000         |
| Peninsula Railroad Company bonds.....  | 695,000           |
| Galena and Chicago Union currency bonds.....                                 | 3,068,000         |
| Beloit and Madison currency bonds.....                                       | 324,000           |
| <b>Total.....</b>  | <b>18,749,500</b> |

The same being the bonds of the consolidated Chicago and Northwestern Railway Company, and covering 1,058 miles of railway, at an average rate of \$17,700 per mile.

Reservation is also made for the following bonds, payment of which is assumed by the company's guarantee, or by ownership of the lines, viz.:

|   |                   |
|---|-------------------|
| Chicago and Milwaukee currency bonds.....               | \$1,724,500       |
| Iowa Midland currency bonds.....                        | 1,350,000         |
| La Crosse, Trempealeau and Prescott currency bonds..... | 1,000,000         |
| Winona and St. Peter Railroad.....                      | 4,400,000         |
| Winona and St. Peter Railroad gold bonds.....           | 4,625,000         |
| Northwestern Union Railway gold bonds.....              | 3,500,000         |
| <b>Total reservation.....</b>                           | <b>35,349,000</b> |

These latter bonds cannot be substituted except upon consolidation of their respective roads, whereby the lien of the mortgage is extended over the same.

This mortgage was created in 1872, to provide means for the completion of the extensions and new lines then under construction, but since finished; for new equipment; new machinery and carshops; for extra cost of steel rails over iron, in reconstructing the track with steel; for extra cost of iron bridges in renewals, and for other works of permanent improvement, which greatly add to the value of the company's property, and is secured by mortgage liens on all the franchises, income, and property of the company, consisting of \*1,058 miles of railway, as follows, viz:

The old Chicago and Northwestern Railway, from Chicago to

\* Exclusive of 85 miles of Chicago and Milwaukee Railway, and 356.6 miles of Iowa roads under perpetual lease.

Green Bay, *via* Janesville, and the new Menomonee and Madison extensions.

The old Galena and Chicago Union Railroad and property.

Beloit and Madison Railroad and property.

Kenosha and Rockford.

Peninsula Railroad and property.

With all the equipment, depot grounds, shops, and machinery, leaseholds, and proceeds of land-grant lands, subject only to the liens of prior bonds, amounting to \$18,749,500, or to \$17,700 per mile, as before described.

The increase of bonded debt consequent upon the issue and sale of the entire residue of the gold bonds will be \$12,651,000, which is equal to \$12,000 per mile for the 1,058 miles constituting the consolidated Chicago & Northwestern Railway covered by the mortgage. The total of bonded debt will then be \$31,400,500 for the 1,058 miles, which is equivalent to \$29,700 per mile of road, the actual cost of which is upwards of \$59,000 per mile. Up to the 1st of June last, \$9,758,000 of the gold bonds had been sold.

The net earnings of said company, exclusive of the proprietary roads, after payment of operating expenses, rent of leased roads, interest on bonds, including the interest on gold loan bonds, were \$1,366,167.54 for the fiscal year ending May 31, 1875.

The bonds of the proprietary roads, for which reservation is made in the mortgage, amounting to \$16,599,500 as herein described, are secured by mortgage liens upon their respective lines of road, and for the most part by guarantee and indorsement of the Chicago & Northwestern Railway Company; but they are not secured by *mortgage lien* upon any of the franchises, earnings or property of the Chicago & Northwestern Railway company.

The entire property and revenue of said company are held under and by virtue of the mortgage to protect and satisfy the principal and interest of the gold loan bonds, as against any and all obligations and indorsements on any of the bonds of the proprietary roads.

M. L. SYKES, JR.,

*Treasurer.*

CHICAGO & NORTHWESTERN RY. CO.

OFFICE, 52 WALL ST.

NEW YORK, July 21, 1875.

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## MEMORIALS PRESENTED AND REFERRED.

By Senator Flint:

Mem. No. 61, S.,

Of A. J. DePew, Geo. Burton, N. Crosby, and 46 others, citizens of Menomonie, Dunn county, praying for the repeal of the law exempting the lands of the West Wisconsin Railway, from taxation.

To Committee on Railroads.

By Senator Bryant:

Mem. No. 62, S.,

Of J. R. Berryman, for an appropriation to the State Library.

To Committee on Judiciary.

By Senator Barron:

Mem. No. 63, S.,

Of the president and professors of the State University, for an increased appropriation to the State Historical Society.

To Committee on Claims.

By Senator Tate:

Mem. No. 64, S.,

Of Thomas McCaul, H. C. Spaulding, and 137 others, against the legalization of the acts of the West Wisconsin Railway Company.

To Committee on Railroads.

By Senator Silverthorn:

Mem. No. 65, S.,

Of R. C. Spooner and 15 others, for the formation of a new judicial circuit.

To Committee on Judiciary.

By Senator Silverthorn:

Mem. No. 66, S.,

Of John K. Parish, of Taylor county, and 25 others, asking for the formation of a new judicial circuit.

To Committee on Judiciary.

By Senator Silverthorn:

Mem. No. 67, S.,

Of T. P. Mathews and 20 others, of Lincoln county, asking for the formation of a new judicial circuit.

To Committee on Judiciary.

By Senator Silverthorn:

Mem. No. 68, S.,

Of J. A. Kellogg, of Marathon county, and 40 others, for the formation of a judicial circuit, to be composed of the counties of Marathon, Lincoln, Taylor, and Clark.

To Committee on Judiciary.

By Senator H. N. Davis:

Mem. No. 69, S.,

Of W. C. Whitford, W. P. Clark, T. W. Sanders, and 24 others, for an appropriation to the State Historical Society.

To Committee on State Affairs.

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### BILLS INTRODUCED.

Read first and second times and referred.

By Senator Bryant:

No. 139, S.,

A bill to appropriate to P. K. Tierney a sum of money therein named.

To Committee on State Affairs.

By Senator Nevins :

No. 140, S.,

A bill to authorize Dudley J. Spaulding to maintain dams across the North and South Forks of Popple River, and Brett Creek, in Clark county.

To Committee on Incorporations.

By Senator Barron :

No. 141, S.,

A bill to further provide against injury to life and property upon railways.

To Committee on Railroads.

By Senator Barron :

No. 142, S.,

A bill to amend chapter 148, of the general laws of 1872, entitled, "an act to amend chapter 130, of the general laws of 1868, entitled, 'an act to provide for the assessment of property for taxation, and the levy of taxes thereon.'"

To Committee on Judiciary.

By Senator Tate:

No. 143, S.,

A bill to amend chapter 176, of the revised statutes, entitled "of arrests."

To Committee on Judiciary.

By Senator Barron:

No. 144, S.,

A bill to legalize the salaries of, and allowances to, the county officers of Burnett county.

To Committee on Town and County Organization.

By Senator Barron:

No. 145, S.,

A bill to amend chapter 46, of the general laws of 1869, entitled "an act to protect the lands, and timber thereon, granted to the St. Croix and Lake Superior Railroad Company.

To Committee on Judiciary.

By Senator Barron:

No. 146, S.,

A bill to provide for the more efficient protection from trespassers of certain lands embraced in the grants made by Congress to the State of Wisconsin, by acts approved respectively June 3, 1856, and May 5, 1864, and of the timber standing and growing thereon.

To Committee on Judiciary.

By Senator Hathaway:

No. 147, A.,

A bill to allow sheriffs and constables to receive necessary and actual disbursements in certain cases.

To Committee on Judiciary.

By Senator Hathaway:

No. 148, S.,

A bill to confer on certain associations of the citizens of the

State of Wisconsin, the powers and immunities of corporations and bodies politic in law.

To Committee on Judiciary.

By Senator H. N. Davis:

No. 149, S.,

A bill relating to the preparation, publication, and distribution of the final report of the Geological Survey, and to appropriate a sum of money therein named.

To Committee on Education.

By Senator Reed:

No. 150, S.,

A bill to provide for the better care of pauper and destitute children.

To Committee on Charitable and Penal Institutions.

By Senator Scott:

No. 151, S.,

A bill to repeal section 15, of chapter 533, of the general laws of 1865, entitled, "an act to accept the grant of lands made to the State of Wisconsin, by act of Congress, approved June 25, 1864, to aid the construction of a military road from Wausau, Marathon county, to Lake Superior," and to amend section 10, of said chapter 533, by appropriating a sum of money therein named.

To Committee on Roads, Bridges, and Ferries.

By Senator Barron:

No. 152, S.,

A bill to provide for furnishing bibles for the several penal and charitable, and reformatory institutions of the State of Wisconsin.

To Committee on Charitable and Penal Institutions.

By Senator Barden:

No. 153, S.,

A bill to amend section 13, of chapter 243, of the laws of 1874, entitled, "an act relating to public printing."

To Committee on Legislative Expenditures.

By Senator Bryant:

No. 154, S.,

A bill to revise the statutes of limitations and other technical defenses therein named.

To Committee on Judiciary.

By Senator Silverthorn:

No. 155, S.,

A bill to constitute and organize the thirteenth judicial circuit of the State of Wisconsin, and to change the limits of the sixth, seventh, and 8th circuits.

To Committee on Judiciary.

By Senator Bryant:

No. 156, S.,

A bill relating to the Supreme Court.

To Committee on Judiciary.

By Senator Bryant:

No. 157, S.,

A bill to appropriate a sum of money for the purchase of books for the State library.

To Committee on Judiciary.

By Senator Silverthorn:

No. 158, S.,

A bill to establish a municipal court in the city of Wausau.

To Committee on Judiciary.

### REPORTS OF COMMITTEES.

The Committee on Engrossed Bills have examined and find correctly engrossed the following bills:

No. 98, S.,

A bill to amend chapter 46, of the general laws of 1869, entitled, "an act to protect the lands and timber thereon granted to the St. Croix and Lake Superior Railroad Company."

No. 108, S.,

A bill to authorize the trustees of the State library to donate duplicate volumes to the Milwaukee law library association.

No. 3, S.,

A bill to amend an act entitled, "an act to incorporate the Mineral Point and Portage City Railroad Company," approved October 13, 1856.

No. 75, S.,

A bill in relation to attorneys' fees, in justice court.

No. 73, S.,

A bill to authorize John A. Jacobs to erect and maintain a dam in Burnett county.

No. 96, S.,

A bill to provide for proving claims in justice court.

No. 72, S.,

A bill to amend chapter 152, of the general laws of 1872, entitled an act to authorize the county board of supervisors in the several counties in this State to levy a special tax for county road purposes.

No. 67, S.,

A bill for the relief of the estate of John Reynolds deceased.

No. 93, S.,

A bill to repeal chapter 348, of the laws of Wisconsin, of 1874, entitled, "an act to amend chapter 46, of the general laws of 1869, entitled 'an act to protect the lands and timber granted to the St. Croix and Lake Superior Railroad Company.'"

M. C. No. 3, S.,

Memorial to Congress, requesting an investigation to be made into the right of George W. Cate, to occupy a seat as a member of Congress, for the 8th district of Wisconsin.

D. E. WELCH,

*Chairman.*

The Committee on the Judiciary, to which was referred  
No. 25, A.,

A bill to amend chapter 218, of laws of 1875, entitled an act for fixing the terms of the Supreme Court, and regulating the practice therein, and concerning the justices thereof.

No. 21, A.,

To create a municipal court for the county of Chippewa.

Has had the same under consideration, and have instructed me to report them back, and recommend that they be concurred in.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary to which was referred,  
No. 140, S.,

A bill relating to the change of venue in civil cases.

Has had the same under consideration, and instructed me to report it back with amendment and the recommendation that it pass when thus amended, Senators Barron and Potter dissenting so far as relates to said amendment.

H. D. BARRON,  
*Chairman.*

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The Committee on Agriculture, to whom was referred,  
No. 15, S.,

A bill making an appropriation to the Northern Wisconsin Agricultural and Mechanical Association.

No. 32, S.,

A bill to appropriate a sum of money to the Southwestern Wisconsin Agricultural and Industrial Association.

Respectfully report that they have had the same under consideration, and instruct me to report the same back to the Senate without recommendation, and ask that they be referred to the Committee on Claims.

L. W. BARDEN,  
*Chairman.*

So referred.

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The Committee on Education to whom were referred,  
No. 61, S.,

A bill to provide for the purchase of 300 copies of Webster's Unabridged Dictionary.

No. 106, S.,

A bill to permanently provide for deficiencies in the University fund income.



Have had the same under consideration and instruct me to report them back with the recommendation that they do pass.

S. L. NEVINS,  
*Chairman.*

Nos. 61 and 106 were referred to the Committee on Claims.

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The Committee on Roads, Bridges and Ferries, to whom were referred,

No. 101, A.,

A bill to provide for the laying out and establishing of a State road from Shiocton, in Outagamie county, to Clintonville, in Wau-paca county.

No. 19, A.,

A bill to provide for laying out a State road from the town of Berlin, Marathon county, to Medford, in Taylor county.

Have had the same under consideration, and instruct me to report them back, with the recommendation that they be concurred in.

JOHN SCHUETTE,  
*Chairman.*

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The Committee on Roads, Bridges, and Ferries, to whom were referred,

No. 111, S.,

A bill to amend chapter 223, of the laws of Wisconsin of 1875, entitled, "an act to lay out and establish a State road from the village of St. Croix Falls, in Polk county, to and intersecting State road established from New Richmond to Ashland."

No. 112, S.

A bill to authorize the county of Burnett to build and maintain a free bridge across the St. Croix River, in town thirty-eight north, of range twenty west.

Have had the same under consideration, and instructed me to report them back with the recommendation that they do pass.

JOHN SCHUETTE,  
*Chairman.*

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The Committee on Federal Relations, to whom was referred,

M. C. No. 10, S., and

M. C. No. 2, A.,

Have the same under consideration, and directed me to report the same back, recommending their adoption.

GEO. E. BRYANT,  
*Chairman.*

The Committee on Legislative Expenditures, to whom was referred,

Res. No. 11, S.,

To amend the constitution of the State of Wisconsin,

Have had the same under consideration, and directed me to report the same back, with the recommendation that it be referred to the Committee on Judiciary.

J. HENRY TATE,  
*Chairman.*

So referred.

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The Committee on Town and County Organization, have had under consideration,

No. 61, A.,

A bill for division of the counties of Clark and Marathon, and the erection of the county of Langlade,

Respectfully report the same back, without recommendation, and ask that it be printed and returned to the committee.

W. P. ROUNDS,  
*Chairman.*

So ordered.

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The Committee on Finance, to whom was referred,

Res. No. 25, S.,

Have had the same under consideration, and would report the same back and recommend its adoption and reference to the Judiciary Committee.

R. H. BAKER,  
*Chairman.*

The question being on adopting the resolution,

On motion of Senator Barron,

It was amended by striking out the word "finance" and inserting "judiciary."

And said resolution, as amended, was then adopted.

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The Committee on State Affairs, to whom was referred the communication of his excellency, the Governor, relative to the Geological Survey,

Respectfully report that they have had the the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that the documents accompanying such communication be returned to the Governor to be retained by him to await the publication of the report on Geological Survey.

L. W. BARDEN,  
*Chairman.*

So ordered.

## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 26, A.,

A bill providing for the laying out of building-lots without the limits of a village or city, and for making a map thereof, and for the recording of the same.

No. 39, A.,

To repeal chapter 153, of the general laws of 1867, entitled, "an act to amend section 78, of chapter 15, of revised statutes, entitled, 'of towns and town officers, powers and duties of towns.'"

No. 77, A.,

A bill for the preservation of fish in Waukesha county.

No. 90, A.,

A bill to authorize the city of Janesville to issue bonds.

No. 110, A.,

A bill to legalize the acts of Wm. H. Harvey, notary public in the county of Kewaunee.

No. 130, A.,

To repeal chapter 117, laws of 1869, and chapter 19, laws of 1871, entitled, "an act to provide for a system of county highways in Brown county, Wisconsin, and for the adoption of such system by other counties."

No. 4, A.,

A bill to provide for taking depositions in county courts in probate matters.

No. 80, A.,

A bill to authorize William H. Decker to build and maintain a dam across the Trempealeau River.

No. 131, A.,

A bill to extend the time for proving and filing claims against the Wisconsin Railroad Farm-Mortgage Land Company.

No. 105, A.,

A bill to amend section 205, of chapter 120, of the revised statutes, entitled, an act of courts held by justices of the peace.

No. 103, A.,

A bill to amend section 1, of chapter 17, of the general laws of 1874, relating to the lien-law, and extending the provisions of said law to the counties of Taylor and Lincoln.

No. 58, A.,

A bill to amend chapter 240, general laws of 1875, entitled, an act authorizing adjoining towns, not exceeding fifteen in number, to form insurance companies.

No. 63, A.,

A bill to legalize the official acts of Robert Goodfellow, a notary public for Brown county.

No. 100, A.,

A bill to repeal chapter 172, of the general laws of 1875, entitled

an act to amend section 45, chapter 120, of the revised statutes, entitled "of courts held by justices of the peace."

No. 67, A.,

A bill to amend chapter 152, of the private and local laws of 1867, entitled "an act to amend an act entitled an act to incorporate the village of Geneva, and the several acts amendatory thereof," granting additional powers to the board of trustees.

No. 132, A.,

A bill to authorize Charles Schofield, John Latham, and Thomas H. Smith to build and maintain a dock and pier in Sturgeon Bay.

No. 82, A.,

A bill to enable boards of underwriters incorporated by, or under the laws of the State of Wisconsin, to establish and maintain a fire patrol.

And has adopted, and asks the concurrence of the Senate in,  
Jt. Res. No. 11, A.,

Relating to legislative manual for employes of the legislature.

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#### ASSEMBLY MESSAGE CONSIDERED.

Nos. 26, 67, 80, and 132, A.,

Were referred to the Committee on Incorporations.

Nos. 4, 39, 63, 90, 100, 103, 105, 110, and 131, A.,

Were referred to the Committee on Judiciary.

Nos. 58, and 82, A.,

Were referred to the Committee on Banks, Banking, and Insurance.

No. 77, A.,

Was referred to the Committee on State Affairs.

No. 130, A.,

Was referred to the Committee on Roads, Bridges and Ferries.

Senator Barron offered the following amendment to

Jt. Res. No. 11, A.,

Relating to legislative manuals for employees of the legislature:

Senator Barron moved to amend by striking out all after the word 'resolved,' and insert the following: That the Secretary of State be directed to purchase, for the use of the legislature, additional copies of the legislative manual, for 1876, and distribute them as follows: One copy each to the State officers in the capitol; one copy each to the State Agricultural Society, to the State Horticultural Society, the State Board of Charities and Reform, and to the Academy of Arts and Sciences; one copy each to the State University and normal schools, and to the State penal and charitable institutions; one copy each to the county clerks of the several counties in this State, and to the clerk of the Supreme Court and of the United States courts for Wisconsin; one copy each to the reporters in attendance at this session, and to the clerks and employes of the two houses, and seven copies to each member of the Senate and Assembly and

Lieutenant-Governor. One copy for each State officer and each member of the legislature shall be bound in half-morrocco, and lettered with his name; *provided*, the price for said manuals shall not exceed two dollars per copy, except those in extra binding, the account for which shall be audited at the regular trade rates for such work.

The resolution and pending amendment

Were referred to Committee on Legislative Expenditures.

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### RESOLUTIONS CONSIDERED.

Jt. Res. No. 12, S.,

And

Res. No. 28, S.,

Were referred to the Committee on Claims.

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### SENATE BILLS ON THEIR THIRD READING.

M. C. No. 3, S.,

Requesting an investigation to be made into the right of George W. Cate, to occupy a seat as member of Congress for the 8th district of Wisconsin.

Was read a third time and passed by the following vote:

Ayes—Senators Baker, Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Flint, Hathaway, Hiner, Nevins, Rounds, Schuette, Scott, Tate, Treat, and Welch—19.

Nays—Senators Barney, Cavanagh, Eastman, Jacobs, McFarland, Mitchell, and Silverthorn—7.

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Senator Flint moved that the Chief Clerk be instructed to order printed 250 copies of memorial to Congress, No. 3, S., as amended by the Senate.

The motion prevailed by the following vote:

Ayes—Senators Baker, Barden, Barron, Blair, Bryant, H. N. Davis, Douglas, Downs, Flint, Hiner, Scott, and Tate—12.

Nays—Senators Barney, Campbell, Cavanagh, Eastman, Hathaway, Jacobs, McFarland, Mitchell, Nevins, Schuette, Treat, and Welch—12.

The President voted in the affirmative.

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No. 3, S.,

A bill to amend an act entitled "an act to incorporate the Mineral Point and Portage City Railroad Company," approved October 13, 1856.

No. 67, S.,

A bill for the relief of the estate of John Reynolds, deceased.

No. 72, S.,

A bill to amend chapter 152, of the general laws of 1872, entitled

"an act to authorize the county boards of supervisors in the several counties of this State to levy a special tax for county road purposes."

No. 96, S.,

A bill to provide for proving claims in justice court.

No. 98, S.,

A bill to amend chapter 46, of the general laws of 1869, entitled, "an act to protect the lands and timber thereon granted to the St. Croix and Lake Superior Railroad Company."

No. 108, S.,

A bill to authorize the trustees of the State library to donate duplicate volumes to the Milwaukee law library association.

Were read a third time and passed.

No. 73, S.,

A bill to authorize John A. Jacobs to erect and maintain a dam in Burnett county.

No. 93, S.,

A bill to repeal chapter 348, of the laws of Wisconsin, of 1874, entitled, "an act to amend chapter 46, of the general laws of 1869, entitled, 'an act to protect the lands and timber granted to the St. Croix and Lake Superior Railroad Company.'"

Were laid aside for one week.

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### SENATE BILLS READY FOR ENGROSSMENT.

The amendments reported to,

No. 110, S.,

A bill relating to change of venue in civil cases.

Were adopted and the bill was ordered engrossed.

No. 111, S.,

A bill to amend chapter 223, of the laws of Wisconsin of 1875, entitled, "an act to lay out and establish a State road from the village of St. Croix Falls, in Polk county, to and intersecting State road established from New Richmond to Ashland."

M. C. No. 10, S.,

For the establishment of a tri-weekly mail route from Marquette, in Green Lake county, *via* Kingston to Portage, in Columbia county.

Were ordered engrossed.

No. 61, S.,

A bill to provide for the purchase of 300 copies of Webster's Unabridged Dictionary,

Was referred to the Committee on Claims.

No. 112, S.,

A bill to authorize the county of Burnett to build and maintain a free bridge across the St. Croix River, in town 38 north, of range 20 west,

Was postponed one week.

## ASSEMBLY BILLS ON THEIR THIRD READING.

No. 19, A.,

A bill to provide for laying out a State road from the town of Berlin, in Marathon county, to Medford, in Taylor county.

No. 21, A.,

A bill to create a municipal court for the county of Chippewa.

No. 25, A.,

A bill to amend chapter 218, of the laws of 1875, entitled, an act for fixing the terms of the Supreme Court and regulating the practice therein and concerning the justices thereof.

No. 101, A.,

A bill to provide for the laying out and establishing a State road from Shiocton in Outagamie county, to Clintonville, in Waupaca county.

M. C. No. 2, A.,

Memorial to Congress for an extension of mail route and increase of service thereon, in Green county, Wisconsin, from New Glarus *via* Dayton to Brooklyn Station.

Were severally ordered to a third reading.

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Senator Welch moved that the Assembly be requested to return for further consideration

No. 3, A.,

A bill to repeal chapter 342, of the laws of Wisconsin for 1875, entitled an act to amend chapter 184, of the revised statutes, entitled of inquests of the dead.

Which was on yesterday indefinitely postponed.

The motion prevailed.

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## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am direct to return to the Senate, for further consideration,

No. 3, A.,

A bill to repeal chapter 342, of the laws of Wisconsin for 1875, an act entitled, an act to amend chapter 184, of the revised statutes, entitled, "of inquests of the dead."

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On motion of Senator Welch,

The vote by which said bill was indefinitely postponed, on yesterday, was reconsidered, and the bill was referred to the Committee on Incorporations.

On motion of Senator Baker,  
The Senate adjourned until 7:30 p. m., Monday.

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MONDAY, FEBRUARY 7, 1876.

7½ O'CLOCK, P. M.

The Senate met.

The Lieutenant-Governor presiding.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot.

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#### MEMORIALS PRESENTED AND REFERRED.

By Senator Barron:

Mem. No. 70, S.,

Of Ole Moe, V. B. Kittel, Wm. Folsom, J. L. Bridgeman, and others, citizens of Alden, Polk county, asking for the repeal of so much of the Apple River Log Driving Company's charter, as authorizes the building and maintenance of Sucker Lake dam.

To Committee on Judiciary.

By Senator Douglas:

Mem. No. 71, S.,

Of Henry Hunter, H. C. Barrows, and H. S. Fisher, residents and freeholders of Buffalo county in favor of the passage of a bill authorizing the Dells improvement at Eau Claire, Wisconsin, believing it to be a public necessity, and for the best interest of the Chippewa Valley.

To Committee on Incorporations.

By Senator Baker:

Mem. No. 72, S.,

Of Wm. C. Allen, and others, citizens of Racine, for increased appropriation to the State Historical Society.

To Committee on Claims.



By Senator Treat;

Mem. No. 73, S.,

Of J. N. Davies, and 75 other citizens of Green county, against the repeal of the Potter-law.

To Committee on Railroads.

By Senator Flint:

Mem. No. 74, S.,

Of W. H. Landon, A. McCafferty, Theo. Neys, and 39 other citizens, of Menomonie, Dunn county, praying for the repeal of the law exempting the lands of the West Wisconsin Railway from taxation.

To Committee on Railroads.

By Senator Barden:

Mem. No. 75, S.,

Of Wm. Black, and 41 others, of Columbia county, for an amendment of the assessment laws.

To Committee on State Affairs.

By Senator Flint:

Mem. No. 76, S.

Of J. A. King, and 369 others, to legalize special town meeting of the town of Medford, Wisconsin.

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### RESOLUTIONS INTRODUCED.

By Senator Hudd:

Res. No. 29, S.,

Granting use of Senate chamber for a Centennial and leap year party.

*Resolved*, That the use of the Senate chamber is hereby granted or Friday evening February 11th next, for the purpose of holding Centennial and leap year party, under the auspices of the ladies of Wisconsin.

On motion of Senator Hudd,

The rules were suspended and the resolution adopted.

By Senator Welch:

Res. No. 30, S.,

Requesting the Committee on State Affairs to examine into the financial management of the State University, and University farm.

*Resolved*, That the Committee on State Affairs be and they are hereby requested to examine into the financial management of the State University and University farm, with a view of reducing the expenses without diminishing the benefits; and report by bill or otherwise.

The resolution lies over.

By Senator Wilmot:

Res. No. 31, S.,

Authorizing the Secretary of State to audit account of the Washington county agricultural society.

*Resolved*, That the Secretary of State be and he is hereby authorized to audit the sum of one hundred dollars in favor of the Washington county agricultural society, being the amount due said society for the year 1875.

On motion of Senator Willmot,

The rules were suspended, and the resolution was adopted.

By Senator Douglas:

Res. No. 32, S.,

Requesting the Secretary of State to furnish information relative to West Wisconsin Railway Company.

*Resolved*, That the Secretary of State is requested to furnish the Senate a copy of the affidavit of the officers of the West Wisconsin railroad, dated on or about September 26, 1873, purporting to show in regard to the cost of the West Wisconsin railroad from Elroy to the Minnesota line, the separate items of cost of right of way, bridges, grading, iron, rolling-stock, and all the expenses connected with the total cost of building and equipment of said line of railroad. And the Secretary of State is also requested to inform the Senate whether there is anything in the correspondence between the then Secretary of State, or present Secretary of State, and the officers of said railroad, tending to show that in that statement of the cost of the West Wisconsin railroad there was included any sum or sums of money expended in the purchase of the North Wisconsin railroad, or expended in behalf of the said North Wisconsin railroad.

The resolution lies over.

By Senator Treat:

Jt. Res. No. 13, S.,

Ratifying proposed constitutional amendments requiring the legislature to establish but one system of town and county government.

The resolution was referred to the Committee on the Judiciary.

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## BILLS INTRODUCED.

Read first and second times and referred.

By Senator Schuette:

No. 159, S.,

A bill relating to the Senate and Assembly journals.

To Committee on State affairs.

By Senator Downs:

No. 160, S.,

A bill to amend chapter 184, laws of 1875, relating to highways and bridges.

To Committee on Roads, Bridges, and Ferries.

By Senator Silverthorn:

No. 165, S.,

A bill in relation to the assessment and collection of taxes.

To Committee on Judiciary.

By Senator Potter:

No. 166, S.,

A bill to provide for the safe keeping of public moneys, and the investment of surplus funds.

To Committee on State Affairs.

By Senator Flint:

No. 167, S.,

A bill to legalize the acts and proceedings of a town meeting in the town of Medford, in the county of Taylor, held on the 15th day of October, A. D., 1875, for the purpose of voting on the location of county buildings, the price to be paid for the same, and the manner of paying for the same.

By Senator Tate:

No. 161, S.,

A bill to lay out and establish a State road from Viroqua to Elroy.

To Committee on Roads, Bridges and Ferries.

By Senator Barron:

No. 162, S.,

A bill in relation to claims against the State presented to either branch of the legislature.

To Committee on Claims.

By Senator Silverthorn:

No. 163, S.,

A bill to amend section 2, of chapter 135, of the revised statutes, entitled, "of the survival of actions, and of death, marriage or other disability, occurring after the commencement of the action."

To Committee on Judiciary.

By Senator Bryant:

No. 164, S.,

A bill relating to actions for the foreclosure of mortgages.

To Committee on Judiciary.

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## MEMORIALS TO CONGRESS, PRESENTED, READ FIRST AND SECOND TIMES, AND REFERRED.

By Senator Schuette:

M. C. No. 11, S.,

Relating to the harbors of Manitowoc and Two Rivers.

To Committee on Federal Relations.

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## REPORTS OF COMMITTEES.

The Committee on Engrossed Bills have examined and find correctly engrossed the following bill:

No. 11, S.,

A bill to appropriate to the Wisconsin State Agricultural Society a sum of money therein named.

No. 76, S.,

A bill to authorize the construction of a pontoon bridge or railway ferry from some feasible point in Buffalo county, State of Wisconsin, to some feasible point in the State of Minnesota.

No. 103, S.,

A bill to appropriate a sum of money therein named to the Industrial School for Boys, for the purpose of introducing the manufacture of boots and shoes.

No. 110, S.,

A bill relating to the change of venue in civil cases.

No. 111, S.,

A bill to amend chapter 223, of the laws of Wisconsin of 1875, entitled "an act to lay out and establish a State road from the village of St. Croix Falls, in Polk county, to and intersecting State road established from New Richmond to Ashland."

M. C. No. 10, S.,

For the establishment of a tri-weekly mail-route from Marquette, in Green Lake county, *via* Kingston, to Portage, in Columbia county.

D. E. WELCH,  
*Chairman.*

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The Committee on Incorporations, to whom was referred

No. 3, A.,

A bill to repeal chapter 242, of the laws of Wisconsin for 1875, an act, entitled an act to amend chapter 184, of the revised statutes, entitled of inquests of the dead.

No. 67, A.,

A bill to amend chapter 152, of the private and local laws of 1867, entitled, "an act to amend an act entitled an act to incorporate the village of Geneva, and the several acts amendatory thereof," granting additional powers to the board of trustees.

No. 26, A.,

A bill providing for the laying out of building-lots without the limits of a village or city, and for making a map thereof, and for the recording of the same.

No. 132, A.,

A bill to authorize Charles Scofield, John Latham, and Thomas H. Smith to build and maintain a dock and piers on Sturgeon Bay.

Have had the same under consideration, and instructed me to report the same back with recommendation that they do pass.

THOMAS B. SCOTT,  
*Chairman.*

The Committee on the Judiciary, to which was referred,  
No. 116, S.,

A bill to amend chapter 86, laws of 1872, entitled an act conferring jurisdiction on the county court of Dodge county.

No. 117, S.,

A bill in relation to new trials in civil and criminal actions.

No. 123, S.,

A bill to amend section 6, of chapter 134, of the revised statutes, entitled, "of executions and proceedings supplementary thereto."

No. 124, S.,

A bill to amend sections 4 and 5, of chapter 164, of the private and local laws of 1870, entitled, "an act to amend chapter 452, of the private and local laws of 1859, entitled, 'an act to incorporate the Nimokagan and Totogatic Dam Company.'"

Has had the same under consideration, and instructed me to report them back with the recommendation that they pass.

H. D. BARRON,

*Chairman.*

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The Committee on the Judiciary to which was referred

No. 119, S.,

A bill relating to sheriffs.

Has had the same under consideration, and instructed me to report it back, with the recommendation that it be indefinitely postponed.

H. D. BARRON.

*Chairman.*

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The Committee on Education, to whom was referred the communication of his excellency, the Governor, relating to the cabinet and library of the late I. A. Lapham, report the same back and recommend the adoption of a resolution, herewith submitted, on the same subject.

R. E. DAVIS.

Said resolution became

Res. No. 33, S.,

Relating to cabinet and library of late I. A. Lapham.

*Resolved*, That his excellency the Governor be and is hereby respectfully requested to cause an examination to be made by Prof. T. C. Chamberlain, State Geologist, of the cabinet and library of the late I. A. Lapham, with instructions to report at as early a date as practicable, to this body the value or approximate value of the same.

Said resolution was adopted.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof :

MR. PRESIDENT :—I am directed to inform you that the Assembly has concurred with the Senate in,

M. C. No. 1, S.,

Memorial to Congress for the establishment of a daily mail route between Marine Mills, Washington county, Minnesota, *via* Farmington Center, to Osceola Mills, Polk county, Wisconsin.

M. C. No. 2, S.,

Memorial to Congress for increased mail facilities in the counties of Green Lake and Waushara.

No. 10, S.

A bill relating to highways and amendatory to section 1, of chapter 130, general laws of 1867.

No. 13, S.,

A bill to lay out and establish a State road from Wausau to Shawano.

And present you for signature,

No. 89, A.,

A bill to authorize the city of Janesville, by its common council, to purchase a steam fire-engine and all necessary equipments, at an expense of not more than ten thousand dollars, and to issue bonds for the payment of the same.

No. 43, A.,

A bill to authorize the taking or catching of certain kinds of fish in Geneva Lake, Walworth county, at any time throughout the year.

The same having been signed by the Speaker,

Said bills were signed by the President.

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### SENATE BILLS ON THEIR THIRD READING.

No. 76, S.,

A bill to authorize the construction of a pontoon bridge or railway ferry from some feasible point in Buffalo county, State of Wisconsin, to some feasible point in the State of Minnesota.

No. 111, S.,

A bill to amend chapter 223, of the laws of Wisconsin of 1875, entitled, "an act to lay out and establish a State road from the village of St. Croix Falls, in Polk county, to and intersecting State road established from New Richmond to Ashland."

No. 110, S.,

A bill relating to the change of venue in civil cases.

M. C. No. 10, S.,

For the establishment of a tri-weekly mail-route from Marquette, in Green Lake county, *via* Kingston to Portage, in Columbia county,

Were severally read a third time and passed.

No. 11, S.,

A bill to appropriate to the Wisconsin State Agricultural Society a sum of money therein named,

Was passed by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman,

Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot—31.

Nays—Senator McFarland—1.

No. 103, S.,

A bill to appropriate a sum of money therein named to the Industrial School for Boys, for the purpose of introducing the manufacture of boots and shoes.

Was passed by the following vote.

Ayes—Senators Baker, Barden, Barney, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Reed, Rounds, Ryan, Schuette, Scott, Tate, Welch, and Wilmot—27.

Nays—Senators Barron, Cavanagh, Flint, Potter, Silverthorn, and Treat—6.

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No. 75, S.,

A bill in relation to attorneys' fees, in justice court.

Senator Welch asked and obtained unanimous consent to offer the following amendment:

Add to section 1; *provided, however*, that no attorney's fees shall be allowed in any such action unless the party has appeared therein by an attorney of a court of record, and the defendant has appeared and put in an answer or demurrer.

The amendment was adopted, and said bill, as thus amended, was passed.

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On motion of Senator Barron,

No. 93, S.,

A bill to repeal chapter 348, of the laws of Wisconsin of 1874, entitled, "an act to amend chapter 46, of the general laws of 1869, entitled, 'an act to protect the lands and timber granted to the St. Croix and Lake Superior Railroad Company.'"

Was postponed until Thursday next.

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#### ASSEMBLY BILLS ON THEIR THIRD READING.

No. 19, A.,

A bill to provide for laying out a State road from the town of Berlin, in Marathon county, to Medford, in Taylor county.

No. 21, A.,

A bill to create a municipal court for the county of Chippewa.

No. 25, A.,

A bill to amend chapter 218, of laws of 1875, entitled an act for

fixing the terms of the Supreme Court, and regulating the practice therein, and concerning the justices thereof.

No. 101, A.,

A bill to provide for the laying out and establishing a State road from Shioc-ton, in Outagamie county, to Clintonville, in Waupaca county.

And,

M. C. No. 2, A.,

Memorial to Congress for an extension of mail route and increase of service thereon, in Green county, Wisconsin, from New Glarus, *via* Dayton, to Brooklyn Station.

Were severally read a third time, and concurred in.

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On motion of Senator Wilmot,  
The Senate adjourned.

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TUESDAY, FEBRUARY 8, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

Prayer by the Rev. L. Y. Hayes.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot.

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#### MEMORIALS PRESENTED AND REFERRED.

By Senator Schuette:

Mem. No. 77, S.,

Of T. Robinson and 400 others asking for the passage of a law compelling the Wisconsin Central Railroad Company to relay the iron between Appleton and Menasha.

To Committee on Railroads.

By Senator Welch:

Mem. No. 78, S.,

Of D. D. Lee and 41 others against the repeal or material modification of the "Potter-law."

To Committee on Railroads.

By Senator Hudd:

Mem. No. 79, S.,

Petition of 200 citizens and tax-payers, of Brown county, against the passage of any law taxing church property.

To Committee on State affairs.



By Senator Hudd:

Mem. No. 80, S.,

Of H. B. Stephenson and others in relation to railroad legislation.

To Committee on Railroads.

By Senator Hudd :

Mem. No. 81, S.,

Of H. B. Stephenson and others, of Door county, for a law reducing the rate of interest.

To Committee on State Affairs.

By Senator Hudd :

Mem. No. 82, S.,

Of H. B. Stephenson and others, of Door county, Wisconsin, in relation to the West Wisconsin Railway Company.

To Committee on Railroads.

By Senator Hudd :

Mem. No. 83, S.,

Of tax-payers of Door county, for an amendment in relation to the assessment laws of Wisconsin.

To Committee on Judiciary.

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### BILLS INTRODUCED.

Read first and second times and referred.

By Senator Welch:

No. 168, S.,

A bill to require the building and maintaining of fences along highways.

To Committee on Roads, Bridges and Ferries.

By Senator Downs:

No. 169, S.,

A bill relating to county roads and amendatory of section 132, of chapter 152, of the general laws of 1869, entitled "an act to codify the laws of this State, relating to highways and bridges."

To Committee on Roads, Bridges and Ferries.

By Senator Ryan:

No. 170, S.,

A bill to constitute and organize the 14th judicial circuit, and to fix the terms therein, and to change the limits of the 3d, 4th and 10th circuits.

To Committee on Judiciary.

By Senator Hudd:

No. 171, S.,

A bill to repeal section 33, of chapter 121, revised statutes 1858, entitled "of jurisdiction of justices in criminal cases."

To Committee on Judiciary.

By Senator Rounds:

No. 172, S.,

A bill to amend chapter 343, of the laws of 1875, entitled "an act to amend chapter 127, of the laws of 1874, entitled 'an act to incorporate the city of Menasha.'"

To Committee on Judiciary.

By Senator Farr:

No. 173, S.,

A bill to aid free discussion, and sustain the liberty of the press.

To Committee on Judiciary.

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### REPORTS OF COMMITTEES.

The Committee on Roads, Bridges, and Ferries, to whom was referred,

No. 66, S.,

A bill to authorize N. O. Murray and L. S. Lenhart to keep and maintain a ferry across Lake Pepin from the village of Stockholm, Wisconsin, to Lake City, Minnesota.

Have had the same under consideration, and report the same back with the recommendation that the same be referred to the Committee on Judiciary.

JOHN SCHUETTE,  
*Chairman.*

So ordered.

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The Committee on Education, to whom was referred,

No. 68, S.,

A bill to amend section 1, of chapter 323, laws of 1875, relating to free high schools.

Have had the same under consideration, and report it back with the recommendation that it do pass.

S. L. NEVINS,  
*Chairman.*

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The Committee on Incorporations, to whom was referred,

No. 168, A.,

A bill to amend section 15, of chapter 145, of the private and local laws of 1871, entitled an act to incorporate the village of Markesan, and to repeal chapter 222, of the private and local laws of 1868, entitled an act to incorporate the village of Markesan, and acts amendatory thereof,

With an amendment, and recommend passage when so amended.

THOMAS B. SCOTT,  
*Chairman.*

On motion of Senator Potter,

The rules were suspended, the amendments were adopted, and the bill, as thus amended, was concurred in.

The Committee on the Judiciary, to which was referred,  
No. 109, S.,

A bill in relation to the organization of towns.

Has had the same under consideration, and instructed me to report it back, with certain amendment, and the recommendation that it pass when so amended.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,  
No. 120, S.,

A bill to codify, consolidate, and amend the act to incorporate the city of Appleton, and the several acts amendatory thereof.

Has had the same under consideration, and instructed me to report it back, with certain amendment, and the recommendation that it pass when so amended.

H. D. BARRON,  
*Chairman.*

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On motion of Senator Ryan,

The rules were suspended and the bill was considered at this time.

The amendment was adopted, and the bill, as thus amended, was passed.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof :

Mr. PRESIDENT :—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 227, A.,

A bill to repeal subdivision 6, of chapter 12, of chapter 501, of the private and local laws of 1868, entitled, "an act to consolidate and amend an act to revise, consolidate, and amend the act to incorporate the city of Oshkosh, and the several acts amendatory thereof," approved March 22, 1861, and to amend an act to revise, consolidate and amend the act in relation to the public schools in the city of Oshkosh, and the several acts amendatory thereof, approved April 9, 1866, approved March 6, 1868.

And has concurred with the Senate in

M. C. No. 4, S.,

Memorial relating to increased mail facilities in the northern portion of Sauk county.

M. C. No. 5, S.,

Memorial to Congress for increased mail service from Durand to Pepin, in Pepin county.

M. C. No. 6, S.,

Memorial to Congress for an appropriation to improve the navigation of the Chippewa River.

M. C. No. 7, S.,

Memorial to Congress for the establishment of a mail-route from Wausau to Colby, via Stettin, Marathon, and Wein.

No. 7, S.,

A bill to amend section 25, of chapter 119, of the revised statutes, entitled, "general provisions concerning courts of record, of the powers and duties of judges, and of attorneys and officers of court."

No. 31, S.,

A bill relating to wills proved and allowed in any other of the United States.

No. 14, S.,

A bill to amend section 1, of chapter 306, of the general laws of 1876, entitled an act to transfer the Soldiers' Orphans' Home to the custody of the regents of the State University.

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#### ASSEMBLY MESSAGES CONSIDERED.

No. 227, A.,

Was referred to the Committee on Incorporations.

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#### SENATE RESOLUTIONS CONSIDERED.

Res. No. 30, S.,

Requesting the Committee on State Affairs to examine into the financial management of the State University, and University farm; introduced on yesterday by Senator Welch.

Senator Barden offered the following amendment:

Strike out the words, "Committee on State Affairs," and insert, "a special committee consisting of Senators Welch, Schuette, and Barney."

The ayes and noes being called for on the adoption of the amendment, it was lost by the following vote:

Ayes—Senators Barden, Campbell, Cavanagh, Douglas, Flint, Hathaway, Mitchell, Potter and Treat—9.

Nays—Senators Baker, Barney, Barron, Blair, Bryant, H. N. Davis, R. E. Davis, Downs, Eastman, Farr, Hiner, Hudd, Jacobs, McFarland, Nevins, Reed, Rounds, Ryan, Scott, Silverthorn, Tate, Welch, and Wilmot—23.

Said resolution was then adopted.

Res. No. 32, S.,

Requesting the Secretary of State to furnish information relative to the West Wisconsin Railway Company; introduced on yesterday by Senator Douglas.

The resolution was adopted.

## SENATE BILLS READY FOR ENGROSSMENT.

No. 116, S.,

A bill to amend chapter 86, laws of 1872, entitled an act conferring jurisdiction on the county court of Dodge county.

No. 117, S.,

A bill in relation to new trials in civil and criminal actions.

No. 123, S.,

A bill to amend section 6, of chapter 134, entitled, "of executions and proceedings supplementary thereto."

And

No. 124, S.,

A bill to amend sections 4 and 5, of chapter 164, of the private and local laws of 1870, entitled, "an act to amend chapter 452, of the private and local laws of 1859, entitled, 'an act to incorporate the Nimakogan and Totogatic Dam Company,'"

Were severally ordered engrossed.

The amendments to

No. 109, S.,

A bill in relation to the organization of towns,  
Were adopted and the bill was ordered engrossed.

No. 119, S.,

A bill relating to sheriffs.

Was indefinitely postponed.

On motion of Senator Downs,

The rules were suspended, and

No. 68, S.,

A bill to amend section one, of chapter 323, laws of 1875, relating to free high schools.

Was read a third time and passed.

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ASSEMBLY BILLS ON THEIR THIRD READING.

No. 3, A.,

A bill to repeal chapter 342, of the laws of Wisconsin for 1875, entitled an act to amend chapter 184, of the revised statutes, entitled, of inquests of the dead.

No. 26, A.,

A bill providing for the laying out of building-lots without the limits of a village or city, and for making a map thereof, and for the recording of the same.

No. 67, A.,

A bill to amend chapter 152, of the private and local laws of 1867, entitled an act to amend an act entitled an act to incorporate the village of Geneva, and the several acts amendatory thereof, granting additional powers to the board of trustees.

And

No. 132, A.,

A bill to authorize Charles Schofield, John Latham, and Thomas H. Smith to build and maintain a dock and pier in Sturgeon Bay.

Were severally ordered to a third reading.

On motion of Senator Hudd,  
The vote by which  
Res. No. 29, S.,  
Granting use of Senate chamber for a centennial and leap year  
party was adopted on yesterday, was reconsidered.

Senator Hudd offered the following amendment:

Strike out "Friday evening, Feb. 11," and insert "Thursday evening, Feb. 17."

The amendment was adopted, and the resolution as amended  
was adopted.

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On motion of Senator Baker,  
The Senate adjourned.

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WEDNESDAY, FEBRUARY 9, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

Prayer by the Rev. L. Y. Hayes.

The roll was called, and the following Senators answered to their  
names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot.

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#### MEMORIALS PRESENTED AND REFERRED.

By Senator Bryant:

Mem. No. 84, S.,

Of T. C. Pound, and citizens of various parts of Wisconsin, for  
an increased appropriation to the State Historical Society.

To Committee on Claims.

By Senator Barron:

Mem. No. 85, S.,

Of C. F. Finley, F. Telke, J. G. Johnson, J. C. Mooney, John Quaderer, G. W. Roberts, N. M. Rockman, and 200 other residents  
and electors of the county of Barron, in relation to the rights of  
settlers upon railroad lands in said county.

To Committee on Railroads.

By Senator R. E. Davis:

Mem. No. 86, S.,

Of two hundred students of the various departments of the State

University, for an increased appropriation to the State Historical Society.

To Committee on Claims.

By Senator Treat:

Mem. No. 87, S.,

Of J. N. Davis, J. W. Stewart, and 75 others, to amend assessment laws.

To Committee on State Affairs.

By Senator Treat:

Mem. No. 88, S.,

Of J. W. Stewart, J. A. Broughton, and 16 others, to reduce interest to 7 per cent.

To Committee on State Affairs.

By Senator Ryan:

Mem. No. 89, S.,

Of John Kurten, Edward Lite, and 54 others, against taxation of church property.

To Committee on State Affairs.

By Senator Barron:

Mem. No. 90, S.,

Of S. W. Hawkins, and others, asking for the passage of accompanying bill, (No. 174, S.) relating to North Wisconsin Railway.

To Committee on Railroads.

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## RESOLUTIONS INTRODUCED.

By Senator Downs :

Res. No. 34, S.,

Requesting the Committee on Printing to confer with the commissioners on revision of laws, relating to printing laws in pamphlet form for general distribution.

*Resolved*, That the Committee on Printing be requested to confer with the commissioners to revise the laws of this State, as to the propriety and expense of publishing in pamphlet form, for general distribution, all the laws of this State relating to roads and bridges, and report their conclusions to the Senate, by bill or otherwise.

The resolution lies over.

By Senator Treat :

Jt. Res. No. 14, S.,

Proposing an amendment to section 2, of article 8, of the constitution of this State.

Referred to Committee on Judiciary.

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## BILLS INTRODUCED.

Read first and second times and referred.

By Senator Barron:

No. 174, S.,

A bill in relation to the North Wisconsin Railway.

To Committee on Railroads.

By Senator Flint:

No. 175, S.,

A bill to legalize certain tax sales in the county of Chippewa.

To Committee on Judiciary.

By Senator Scott:

No. 176, S.,

A bill to provide for the incorporation of associations or companies for lumbering or logging purposes.

To Committee on Incorporations.

By Senator Flint:

No. 177, S.,

A bill to improve the south branch of the Eau Claire River and its tributaries, in Clark county.

To Committee on Judiciary.

By Senator Flint:

No. 178, S.,

A bill to improve the north branch of the Eau Claire River in the county of Clark.

To Committee on Judiciary.

By Senator Bryant:

No. 179, S.,

A bill to protect wild pigeons in their nesting-places.

To Committee on State Affairs.

By Senator Reed:

No. 180, S.,

A bill to authorize the Secretary of State to order the binding of the report of the State Board of Charities and Reform.

To Committee on State Affairs.

By Senator Silverthorn:

No. 181, S.,

A bill in relation to the inspection of lumber in the 10th lumber district.

To select committee consisting of Senators Silverthorn and Scott.

By Senator Barron:

No. 182, S.,

A bill for the organization of corporations for benevolent purposes.

To Committee on Incorporations.

By Senator Baker:

No. 183, S.,

A bill to authorize the Commissioners of School and University Lands to loan a portion of the trust funds of the State to the county of Racine.

To Committee on Education.



By Senator Scott:

No. 184, S.,

A bill to regulate the license to be paid by railroad companies.

To Committee on Railroads.

By Senator Scott:

No. 185, S.,

A bill to authorize the Commissioners of School and University Lands to loan a portion of the trust funds of the State to the county of Wood.

To Committee on Education.

By Senator Flint:

No. 186, S.,

A bill to authorize county judges to grant pardons in certain cases.

To Committee on Judiciary.

By Senator Ryan:

No. 187, S.,

A bill relating to the office of Supreme Court reporter.

To Committee on Judiciary.

By Senator Bryant:

No. 188, S.,

A bill to appropriate to the Superintendent of Public Property the sum therein named, for the use of the State.

To Committee on Finance.

By Senator Rounds:

No. 189, S.,

A bill to incorporate the Firemen's Association of the city of Menasha.

To Committee on Incorporations.

By Senator H. N. Davis:

No. 190, S.,

A bill to amend section 2, of title 3, of chapter 253, of the private and local laws of 1868, entitled, an act to revise and amend chapter 176, of the private and local laws of 1857, entitled, an act to amend an act entitled, an act to incorporate the city of Beloit, approved March 31, 1856.

To Committee on Incorporations.

By Senator Farr:

No. 191, S.,

A bill to amend chapter 133, of private and local laws of 1857, entitled, an act to consolidate and amend the act, to incorporate the city of Kenosha, and the several acts amendatory thereof.

To Select Committee of one, consisting of Senator Farr.

By Senator Nevins:

No. 192, S.,

A bill to authorize the city of La Crosse, to build and maintain a bridge across the Mississippi River.

To Committee on Internal Improvements.

By Senator Wilmot:

No. 193, S.,

A bill to enable certain towns, cities, and villages to construct and improve harbors.

To Committee on Judiciary.

By Senator Barden:

No. 194, S.,

A bill to authorize the building and maintaining a dam in the Wisconsin River, in the city of Portage.

To Committee on Internal Improvements.

By Senator Barden:

No. 195, S.,

A bill to amend chapter 213, of the laws of 1873, entitled, "an act authorizing the construction of a levee along the Wisconsin River, in the counties of Columbia and Sauk."

To Committee on Internal Improvements.

By Senator Douglas:

No. 196, S.,

A bill to amend sections 1 and 2, of chapter 138, of the general laws of 1870, entitled, "an act for the destruction of lynxes, wolves, and wild cats."

To Committee on Agriculture.

By Senator Tate:

No. 197, S.,

A bill relating to license money in Vernon county.

To Committee on State Affairs.

By Senator Tate:

No. 198, S.,

A bill relating to the circuit courts for Vernon county.

To Committee on Judiciary.

By Senator Schuette:

No. 199, S.,

A bill to amend chapter 228, of the laws of 1875, entitled, "an act to amend chapter 275, of the private and local laws of 1870, entitled, 'an act to incorporate the city of Manitowoc.'"

To Committee on Incorporations.

By Senator Hudd:

No. 200, S.,

A bill relating to the redemption of lands sold under decree of foreclosure, and amendatory of section 2, of chapter 195, of laws of 1859.

To Committee on Judiciary.

By Senator Welch:

No. 201, S.,

A bill relating to hawkers and peddlers, and amendatory of chapter 72, laws of 1870.

To Committee on Finance.

By Senator Hudd:

No. 202, S.,

A bill concerning railroads in the State of Wisconsin.

To select committee of one, consisting of Senator Hudd.

By Senator Farr:

No. 203, S.,

A bill to amend section 3, of chapter 299, of the private and local laws of 1870, entitled, "an act to define certain rights and duties of the Beef Slough Manufacturing, Booming, Log-Driving, and Transportation Company."

To Committee on Internal Improvements.

By Senator Silverthorn:

No. 204, S.,

A bill to amend chapter 152, of the general laws of 1869, entitled, "an act to codify the laws of the State relating to highways and bridges."

To Committee on Judiciary.

By Senator Tate:

No. 205, S.,

A bill to repeal chapter 190, of the laws of Wisconsin of 1875, entitled, "an act to amend chapter 137, of the general laws of 1871, entitled, 'an act to provide for the trial of offenses upon information, and to make the general laws of this State applicable thereto.'"

To Committee on Judiciary.

By Senator Ryan :

No. 206, S.,

A bill relating to public printing.

To Committee on Printing.

By Senator Hiner :

No. 207, S.,

A bill to amend chapter 59, of the private and local laws of 1868, entitled, "an act to incorporate the city of Fond du Lac," approved February 14, 1868, and limiting the bringing of actions against the city.

To select committee of one, consisting of Senator Hiner, and ordered not printed.

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## REPORTS OF COMMITTEES.

The Committee on Engrossed Bills have examined and find correctly engrossed the following bills :

No. 109, S.,

A bill in relation to the organization of towns.

No. 116, S.,

A bill to amend chapter 86, laws of 1872, entitled, "an act conferring jurisdiction in the county court of Dodge county."

No. 124, S.,

A bill to amend sections 4 and 5, of chapter 164, of the private and local laws of 1870, entitled, "an act to amend chapter 452, of the private and local laws of 1859, entitled, 'an act to incorporate the Nimakogan and Totogatic Dam Company.'"

No. 117, S.,

A bill in relation to new trials in civil and criminal actions.

No. 123, S.,

A bill to amend section 6, of chapter 134, entitled, "of executions, and proceedings supplementary thereto."

D. E. WELCH,  
*Chairman.*

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The Committee on the Judiciary, to which was referred

No. 147, S.,

A bill to allow sheriffs and constables to receive necessary and actual disbursements in certain cases.

Has had the same under consideration, and instructed me to report it back with amendment, and the recommendation that it pass when so amended.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,

No. 100, A.,

A bill to repeal chapter 172, of the general laws of 1875, entitled, "an act to amend section 45, of chapter 120, of the revised statutes, entitled, 'of courts held by justices of the peace.'"

Has had the same under consideration, and instructed me to report the same back with the recommendation that it be indefinitely postponed.

H. D. BARRON,  
*Chairman.*

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The Committee on Roads, Bridges, and Ferries, to whom was referred,

No. 134, S.,

A bill to repeal chapter 267, laws of 1873, entitled, an act to authorize town supervisors to lay out public highways in certain cases.

Report the same back and recommend its passage.

No. 130, A.,

A bill to repeal chapter 117, laws of 1869, and chapter 19, laws of 1871, entitled, "an act to provide for a system of county highways in Brown county, and for the adoption of such systems in other counties."

Report the same back, with the recommendation that it be concurred in.

JOHN SCHUETTE,  
*Chairman.*

The Committee on Legislative Expenditures, to whom was referred,

Jt. Res. No. 11, A.,

Relating to Legislative Manual for employees of the legislature.

Have had the same under consideration, and direct me to report the same back with an amendment, and when so amended, recommend that it do pass.

J. HENRY TATE,  
*Chairman.*

The question being on the adoption of the amendment reported by the committee to said resolution,

Senator Potter offered the following amendment:

"Strike out so much of the amendment as provides for seven additional copies for each member of the legislature."

The amendment to the amendment was lost by the following vote:

Ayes—Senators Potter, Treat, and Welch—3.

Nays—Senators Baker, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, and Wilmot—29.

The amendment reported by the committee was then adopted; and said resolution as thus amended was adopted.

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The Committee on Railroads has had under consideration,  
No. 132, S.,

A bill to extend the time for the construction of the North Wisconsin Railway, and to waive the forfeiture incurred by the North Wisconsin Railway Company, by its failure to construct twenty miles of its road during the year 1875,

And report the same back, with the recommendation that it be passed.

No. 69, S.,

A bill in relation to the pontoon bridge across the Mississippi River at Prairie du Chien,

And report the same back, recommending that it be referred to the Committee on Judiciary.

W. H. HINER,  
*Chairman.*

So referred.

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The Committee on Enrolled Bills have examined and find correctly enrolled, the following bills:

No. 13, S.,

A bill to lay out and establish a State road from Wausau to Shawano.

M. C. No. 1, S.,

Memorial to Congress for the establishment of a daily mail route between Marine Mills, Washington county, Minnesota, via Farmington Center, to Osceola Mills, Polk county, Wisconsin.

M. C. No. 2, S.,

Memorial to Congress, for increased mail facilities in the counties of Green Lake and Waushara.

R. J. FLINT,  
*Chairman.*

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The Committee on Incorporations, to whom was referred,  
No. 80, A.,

A bill to authorize Wm. H. Decker to build and maintain a dam across the Trempealeau River.

No. 227, A.,

A bill to repeal subdivision 6, of section 8, of chapter 12, of chapter 501, of the private and local laws of 1868, entitled, an act to consolidate and amend an act to revise, consolidate, and amend the act to incorporate the city of Oshkosh, and the several acts amendatory thereof, approved March 22, 1861, and to amend an act to revise, consolidate, and amend the act in relation to the public schools in the city of Oshkosh, and the several acts amendatory thereof, approved April 9, 1866, approved March 6, 1868.

No. 140, S.,

A bill to authorize Dudley J. Spaulding to maintain dams across the north and south forks of Popple River and Brett Creek, in Clark county.

Have had the same under consideration, and instructed me to report the same back and passage recommended.

THOMAS B. SCOTT,  
*Chairman.*

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The Committee on Railroads has had under consideration,  
No. 23, S.,

A bill to amend chapter 289, of the general laws of 1873, entitled, "an act to amend chapter 182, of the general laws of 1872, entitled, an act to authorize municipal corporations to aid in the construction of railroads."

And report the same back by substitute, and recommend the printing thereof and the re-commitment of the same.

W. H. HINER,  
*Chairman.*

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So ordered.

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The Committee on State Affairs, to whom was referred,  
No. 139, S.,

A bill to appropriate to P. R. Tierney a sum of money therein named.

Respectfully report that they have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend that it be referred to the Committee on Claims.

L. W. BARDEN.

*Chairman.*

So ordered.

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The Committee on Town and County Organization, who have had under consideration,

No. 126, S.,

Report the same back without amendment, with the recommendation that it do pass.

W. P. ROUNDS,

*Chairman.*

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The Joint Committee on Claims, has had under consideration,

No. 89, S.,

A bill to provide for acquiring title to certain pieces of land within the grounds of the Wisconsin State Hospital for the Insane.

No. 114, S.,

A bill to appropriate money to the Outagamie County Agricultural Society.

And have directed me to report the same back to the Senate, with the recommendation that the same do pass.

No. 106, S.,

A bill to permanently provide for deficiencies in the University Fund Income.

• And directed me to report the same back to the Senate with amendment, and recommend that the same do pass when so amended.

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The Committee on Legislative Expenditures, to whom was referred bill

No. 153, S.,

Entitled, a bill to amend section 13, of chapter 243, of the laws of 1874, entitled, an act relating to public printing.

Have had the same under consideration, and directed me to report the same back with an amendment, and when so amended they recommend that it do pass.

J. HENRY TATE,

*Chairman.*

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The Committee on Internal Improvements, to whom was referred bill

No. 90, S.,

A bill to amend chapter 343, of the private and local laws of 1870,

entitled, "an act to amend chapter 140, of the private and local laws of 1859, entitled, 'an act to amend an act entitled, an act to incorporate the village of Monroe, and the acts amendatory thereof,'"'

Respectfully report the same back to the Senate with a substitute, and recommend the passage of the substitute.

J. B. TREAT,  
*Chairman.*

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### EXECUTIVE COMMUNICATION.

STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,  
MADISON, February 9, 1876.

*To the honorable, the Senate:*

Pursuant to the requirements of chapter 151, of the general laws of 1869, I hereby nominate and appoint, subject to the approval of your honorable body, Samuel S. Sherman, of Milwaukee, John Phillips, of Stevens Point, and C. A. Weisbrod, of Oshkosh, regents of the normal schools, to hold for the term of three years, from the first day of February, 1876.

H. LUDINGTON,  
*Governor.*

The message was referred to the Committee on Education.

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has concurred in

No. 120, S.,

A bill to codify, 'consolidate, and amend the act to incorporate the city of Appleton and the several acts amendatory thereof.

And has agreed to Senate amendment to

No. 168, A.,

A bill to amend section 15, of chapter 145, of the private and local laws of 1871, entitled, an act to incorporate the village of Markesan, and to repeal chapter 222, of the private and local laws of 1868, entitled, an act to incorporate the village of Markesan, and acts amendatory thereof.

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,



No. 7, A.,

A bill in relation to negotiable paper maturing upon Sunday or upon a legal holiday.

No. 6, A.,

A bill to compel assessors and county clerks to make certificates prescribed by the provisions of chapter 38, laws of 1874.

No. 31, A.,

A bill to compel clerks of every town, city, and village, and the county clerk of every county in this State, to carry out the provisions of chapter 150, of the general laws of 1872, an act entitled, "an act to provide for the collection of statistics from towns, villages, and cities, showing amount of tax raised therein."

No. 36, A.,

A bill to repeal chapter 248, of the laws of Wisconsin of 1873, entitled, an act to amend chapter 115, of the general laws of 1869, entitled, an act in relation to the courts of Milwaukee county, Wisconsin.

No. 51, A.,

A bill to legalize the laying out of a State road from Chippewa Falls, in Chippewa county, to Augusta, in the town of Bridge Creek, in Eau Claire county.

No. 57, A.,

A bill to allow compensation to clerks of the school-districts of the State.

No. 68, A.,

A bill to authorize counties, towns, cities, and villages to establish sinking funds for the payment of their bonded indebtedness.

No. 142, A.,

A bill to amend section 2, of chapter 78, of the general laws of 1873, entitled, "an act to amend sections 17 and 18 of chapter 130, of the general laws of 1868, entitled, 'an act to provide for the assessment of property for taxation, and the levy of taxes thereon.'"

No. 148, A.,

A bill to amend section 1, of chapter 168, of the general laws of 1871, and to regulate the teachers' school-month.

No. 91, A.,

A bill for the protection of brook trout in the State of Wisconsin.

No. 273, A.,

A bill to amend chapter 187, general laws of 1875, entitled, an act to amend chapter 59, general laws 1873, entitled, an act to revise the charter of the city of Prairie du Chien.

M. C. No. 3, A.,

Memorial to Congress for the establishment of a weekly mail-route from Kiel to Memee post-office, Manitowoc county, Wisconsin.

Jt. Res. No. 8, A.,

To amend sections 4, 5, 11, and 21, of article 4, of the constitution of the State of Wisconsin,

And ask the return of

No. 31, S.,

A bill relating to wills proved and allowed in any other of the United States.

For the purpose of correction.

Said bill was returned to the Assembly by order of the Senate, as requested.

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• ASSEMBLY MESSAGES CONSIDERED.

Nos. 7, 6, 31, 51, 142, and,

Jt. Res. No. 8, A.,

Were referred to the Judiciary Committee.

No. 273, A.,

Was referred to the Committee on Incorporations.

Nos. 57, and 148, A.,

Were referred to the Committee on Education.

Nos. 68, and 91, A.,

Were referred to the Committee on State Affairs.

M. C. No. 3, A.,

Was referred to the Committee on Federal Relations.

No. 36, A.,

Was referred to a select committee consisting of Senators Jacobs and Mitchell.

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ASSEMBLY BILLS READY FOR A THIRD READING.

No. 3, A.,

A bill to repeal chapter 342, of the laws of Wisconsin, for 1875, an act entitled, "an act to amend chapter 184, of the revised statutes, entitled, of inquests of the dead."

No. 26, A.,

A bill providing for the laying out of building-lots without the limits of a village or city, and for making a map thereof, and for the recording of the same.

No. 67, A.,

A bill to amend chapter 152, of the private and local laws of 1867, entitled, "an act to amend an act, entitled an act to incorporate the village of Geneva, and the several acts amendatory thereof," granting additional powers to the board of trustees.

No. 132, A.,

A bill to authorize Charles Schofield, John Leatham, and Thomas H. Smith to build and maintain a dock and pier in Sturgeon Bay.

Were severally read a third time and concurred in.

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SENATE BILLS ON THEIR THIRD READING.

No. 109, S.,

A bill in relation to the organization of towns.

No. 116, S.,

A bill to amend chapter 86, laws of 1872, entitled, an act conferring jurisdiction on the county court of Dodge county.

No. 117, S.,

A bill in relation to new trials in civil and criminal actions.

No. 123, S.,

A bill to amend section 6, of chapter 134, entitled, "of executions and proceedings supplementary thereto."

Were read a third time, and passed.

No. 89, S.,

A bill to provide for acquiring title to certain pieces of land within the grounds of the Wisconsin State Hospital for the Insane,

Was read a third time and passed by the following vote:

Ayes—Senators Barden, Barney, Barron, Blair, Bryant, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Flint, Hathaway, Hiner, Hudd, McFarland, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot—28.

No. 124, S.,

A bill to amend sections 4 and 5, of chapter 164, of the private and local laws of 1870, entitled, "an act to amend chapter 452, of the private and local laws of 1859, entitled, 'an act to incorporate the Nimakogan and Totogatic Dam Company.'"

Was postponed one week.

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#### SENATE BILLS READY FOR ENGROSSMENT.

No. 114, S.,

A bill to appropriate money to the Outagamie county agricultural society.

No. 126, S.,

A bill to amend section 1, of chapter 84, of the general laws of 1874, entitled, "an act to amend chapter 166, of the general laws of 1869, entitled, 'an act to repeal chapter 132, of the general laws of 1866, entitled, 'an act to vest the title of unredeemed lands in counties.'"

No. 132, S.,

A bill to extend the time for the construction of the North Wisconsin Railway, and to waive the forfeiture incurred by the North Wisconsin Railway Company, by its failure to construct twenty miles of its road during the year 1875.

No. 134, S.,

A bill to repeal chapter 267, laws of 1873, entitled, "an act to authorize town supervisors to lay out public highways in certain cases."

No. 140, S.,

A bill to authorize Dudley J. Spaulding to maintain dams across the North and South Forks of Popple River, and Brett Creek, in Clark county.

Were ordered engrossed.

The amendments to

No. 106, S.,

A bill to permanently provide for deficiencies in the University Fund Income.

No. 147, S.,

A bill to allow sheriffs and constables to receive necessary and actual disbursements in certain cases.

Were adopted, and the bills ordered engrossed.

No. 90, S.,

A bill to amend chapter 343, of the private and local laws of 1870, entitled, "an act to amend chapter 140, of the private and local laws of 1859, entitled, 'an act to amend an act entitled, an act to incorporate the village of Monroe, and the acts amendatory thereof.'"

The substitute to No. 90, S., was ordered printed.

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Senator Farr moved that the vote by which

Res. No. 30, S.,

Requesting the Committee on State Affairs to examine into the financial management of the State University, and University Farm, was adopted on yesterday, be reconsidered,

Which motion prevailed.

The question being on the adoption of the resolution,

Senator Barden moved to amend by substituting for "Committee on State Affairs," the words, "a select committee consisting of Senators Welch, Schuette, and Barney."

Senator Welch moved to amend the amendment by substituting "the Committee on Agriculture."

Which amendment was lost.

The question recurring on the adoption of the amendment offered by Senator Barden,

It prevailed,

And said resolution, as thus amended, was adopted.

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On motion of Senator Hiner,

The Senate adjourned.

THURSDAY, FEBRUARY 10, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

Prayer by the Rev. L. Y. Hayes.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Treat, Welch, and Wilmot.

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### COMMUNICATIONS.

The President presented the following communication from the Secretary of State in reply to Res. No. 32, S.

STATE OF WISCONSIN, SECRETARY'S OFFICE,

MADISON, February 9, 1876.

*To the honorable, the President of the Senate of the State of Wisconsin:*

SIR:—I have the honor to acknowledge the receipt of a copy of Res. No. 32, S., and in reply would respectfully state that the affidavit referred to is not on file or of record in this office; also that there is nothing in the correspondence between the Secretary of State and the officers of the West Wisconsin Railway Company which gives the information requested.

Very respectfully,

PETER DOYLE,  
*Secretary of State.*

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The President presented the following communication, from the Railroad Commissioners:

## OFFICE OF RAILROAD COMMISSIONERS,

MADISON, February 10, 1876.

HON. CHAS. D. PARKER,

*Lieutenant-Governor and President of the Senate:*

DEAR SIR:—I am instructed by the Railroad Commissioners to inclose to you the written report, made in reply to a resolution of the body over which you preside, for communication to its members.

I am, respectfully, yours,

H. A. TENNEY,

*Clerk of the Board.*

## OFFICE OF RAILROAD COMMISSIONERS,

MADISON, February 9, 1876.

*To the honorable Senate, of the State of Wisconsin:*

In reply to Senate Resolution, No. 27, the Railroad Commissioners have the honor to submit the following statement, made up from schedules of the companies:

Rates per ton, per mile, now allowed by law, on 1st, 2d, 3d, and 4th class freights from Milwaukee, to Black River Falls, via Milwaukee & St. Paul, and West Wisconsin Railway, being  $141 \times 39.4 = 180.4$  miles, *per local freight tariffs*:

|                          |              |
|--------------------------|--------------|
| First class.....         | 10.53 cents. |
| Second class.....        | 9.20 cents.  |
| Third class.....         | 7.54 cents.  |
| Fourth class.....        | 5.98 cents.  |
| 1½ times, 1st class..... | 15.80 cents. |
| Double 1st class.....    | 21.06 cents. |

Rates per ton, per mile, now allowed by law, on 1st, 2d, 3d, and 4th class freights, from Milwaukee to Eau Claire, via Milwaukee and St. Paul, and West Wisconsin Railways, being  $141 \times 94 = 235$  miles, *per local freight tariffs*:

|                          |              |
|--------------------------|--------------|
| First class.....         | 10.30 cents. |
| Second class.....        | 8.77 cents.  |
| Third class.....         | 7.50 cents.  |
| Fourth class.....        | 5.96 cents.  |
| 1½ times, 1st class..... | 15.45 cents. |
| Double 1st class.....    | 20.60 cents. |

In reply to the request of the Senate, that the commissioners should make an estimate of the "average number of miles which each ton of merchandise purchased in Milwaukee and consumed in Wisconsin, is hauled by the railways," the commissioners would state that they have no data in their possession which would enable them to make the estimate desired, but should they be able to procure it, will forward the same at the earliest practicable moment.

The commissioners also append herewith, a statement of the West Wisconsin Company, in regard to the *through* rates in force upon their road, January 3, 1873, and which rates would yield per ton per mile as follows to-wit:

## FROM MILWAUKEE TO BLACK RIVER FALLS.

|                   |             |
|-------------------|-------------|
| First class.....  | 8.87 cents. |
| Second class..... | 7.87 cents. |
| Third class.....  | 6.10 cents. |
| Fourth class..... | 5.10 cents. |

## FROM MILWAUKEE TO EAU CLAIRE.

|                   |             |
|-------------------|-------------|
| First class.....  | 9.00 cents. |
| Second class..... | 8.00 cents. |
| Third class.....  | 6.40 cents. |
| Fourth class..... | 3.91 cents. |

Respectfully,

J. W. HOYT  
J. H. OSBORN,  
GEO. H. PAUL,  
*Commissioners.*

OFFICE OF RAILROAD COMMISSIONERS,  
*MADISON, February 9, 1876.*

GENTLEMEN:—The first through rates made between Milwaukee and Black River Falls, or Eau Claire, went into effect January 3, 1873, and were as follows:

## TO BLACK RIVER FALLS.

|                   |           |
|-------------------|-----------|
| First class.....  | 80 cents. |
| Second class..... | 70 cents. |
| Third class.....  | 55 cents. |
| Fourth class..... | 46 cents. |

## TO EAU CLAIRE.

|                   |        |
|-------------------|--------|
| First class.....  | \$1 05 |
| Second class..... | 90     |
| Third class.....  | 75     |
| Fourth class..... | 60     |

All freight going to those points previous to January 3, 1873, was treated as local freight, and charged for at rates current from the point where the same reached this company's line.

Respectfully,

W. G. SWAN,  
*For. W. Wis. R. R. Co.*

To the Honorable Railroad Commissioners.

## MEMORIALS PRESENTED AND REFERRED.

By Senator Reed:

Mem. No. 91, S.,

Of R. B. Montgomery, Wm. Reynolds, W. P. Barns, J. Folts, L. Crandel, and 36 others, citizens of Hebron, against the repeal or material modification of chapter 273, laws of 1874, commonly known as the Potter-law.

To Committee on Railroads.

By Senator Reed:

Mem. No. 92, S.,

Of W. T. Colmer, C. C. Brown, D. Wilcox, and 37 other citizens, of Hebron, Jefferson county, against the taxation of mortgaged property for the amount which is borrowed upon it.

To Committee on State Affairs.

By Senator Wilmot:

Mem. No. 93, S.,

Of Lorenze Guth and 40 others, citizens of Washington county, asking for a law to make treasurers of municipal corporations ineligible to the same office for two consecutive terms.

To Committee on Judiciary.

By Senator Wilmot;

Mem. No. 94, S.,

Of J. C. Place, and 100 others, of Washington county, asking repeal of chapter 147, laws of 1871.

To select committee of one, consisting of Senator Wilmot.

By Senator R. E. Davis:

Mem. No. 95, S.,

Of David Richardson, and others, of Dane county, for an amendment to the "dog-law."

To Committee on Agriculture.

By Senator R. E. Davis:

Mem. No. 96, S.,

Of Henry Wilson, and others, of Dane county, for amendment to the "dog-law."

To Committee on Agriculture.

By Senator Treat:

Mem. No. 97, S.,

Of R. A. Roberts, Wm. Truman, and 20 others, to reduce interest.

To Committee on State Affairs.

By Senator Treat:

Mem. No. 98, S.,

Of Wm. Truman, Wm. Kelly, and 20 others, against the repeal of the "Potter-law."

To Committee on Railroads.

By Senator Treat:

Mem. No. 99, S.,

Of T. H. Eaton, and 20 others, to amend assessment law.

To Committee on State Affairs.



By Senator Hudd:

Mem. No. 100, S.,

Of J. H. M. Wigman, and 100 others, tax-payers of the city of Green Bay, against the passage of any law taxing church property.  
To Committee on State Affairs.

By Senator Ryan:

Mem. No. 101, S.,

Of J. B. Jacquet, and 75 others, against taxation of church property.

To Committee on State Affairs.

By Senator Ryan:

Mem. No. 102, S.,

Of M. Knapstein, and 40 others, against taxation of church property.

To Committee on State affairs.

By Senator Flint:

Mem. No. 103, S.,

Of J. A. Harrison, W. L. Downs, Christian Quarderer, and 53 other citizens, of the town of Sheridan, Dunn county, praying for the repeal of the law exempting the lands of the West Wisconsin Railway from taxation.

To Committee on Railroads.

By Senator Mitchell:

Mem. No. 104, S.,

Of Henry Lieber, Louis Kerler, and 27 others, asking for a law for an equal taxation on all real estate.

To Committee on State Affairs.

By Senator Tate:

Mem. No. 105, S.,

Remonstrance of the president and board of trustees of the village of Viroqua, against the diversion of the license-moneys of said village.

To Committee on State Affairs.

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## RESOLUTIONS INTRODUCED.

By Senator Baker:

Res. No. 35, S.,

Requesting Attorney-General to furnish information relating to Corn-Exchange Bank, of Waupun.

*Resolved*, That the Attorney-General be requested to inform the Senate whether, in his opinion, any legislation is necessary to protect the State from loss, by reason of the deposit of State funds in the suspended Corn-Exchange Bank, at Waupun, in the year 1875; and he is also respectfully requested to inform the Senate what action, if any, he has taken to protect the State from loss.

The resolution lies over.

By Senator Flint:

Res. No. 36, S.,

*Resolved*, That the use of the Senate Chamber be, and the same is hereby granted, to the Committee on Lumber and Manufactures, of the Assembly, at 2 o'clock, p. m., on either the 10th or 11th inst., for the consideration of the dells bill.

On motion of Senator Flint,

The rules were suspended and the resolution was adopted.

By Senator Reed.

Jt. Res. No. 15, S.,

Instructing the Attorney-General to commence suit for the recovery of State money.

WHEREAS, The sum of ten thousand dollars was appropriated by the legislature of 1873, for the use of the Wisconsin State Hospital for the Insane; and

WHEREAS, Said appropriation has never been placed at the disposal of the hospital, but has been drawn from State Treasury, and is consequently now in the hands of Mr. Bætz, late State Treasurer, or Simeon Mills, treasurer of the hospital; therefore,

*Resolved by the Senate, the Assembly concurring*, That the Attorney-General be, and he is hereby instructed to commence suit immediately against the party who in his opinion is legally liable for the recovery of said amount.

The resolution lies over.

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### BILLS INTRODUCED.

Read first and second times and referred.

By Senator Welch:

No. 208, S.,

A bill requiring notice to be given in cases where damages may happen to any person on account of insufficiency or want of repair of any highway, bridge, or sidewalk in any incorporated village.

To Committee on Judiciary.

By Senator Barron:

No. 209, S.,

A bill providing for struck juries.

To Committee on Judiciary.

By Senator Barron:

No. 210, S.,

A bill relating to accounts against life insurance companies.

To Committee on Judiciary.

By Senator Barron:

No. 211, S.,

A bill to confer upon Christian Buckhardt, his heirs and assigns, certain franchises upon Willow River, St. Croix county.

To Committee on Judiciary.

By Senator Barron:

No. 212, S.,

A bill to legalize the salaries of the register of deeds and district attorney of Barron county.

To Committee on Judiciary.

By Senator Barron:

No. 213, S.,

A bill in relation to chattel mortgages.

To Committee on Judiciary.

By Senator Reed:

No. 214, S.,

A bill to abolish time sentences to the State Prison.

To Committee on Judiciary:

By Senator R. E. Davis:

No. 215, S.,

A bill to codify and consolidate all laws in relation to town insurance companies.

To Select Committee consisting of Senators R. E. Davis, Barden, and Barney, and ordered not printed.

By Senator Barden:

No. 216, S.,

A bill relating to the city of Portage, and amendatory of chapter 437, of the private and local laws of 1868.

To select committee of one, consisting of Senator Barden, and ordered not printed.

By Senator Barden:

No. 217, S.,

A bill to authorize town supervisors to form fire-districts, and to purchase apparatus for the extinguishment of fires in unincorporated villages, and maintenance of fire departments in such villages.

To Committee on Incorporations.

By Senator Barden:

No. 218, S.,

A bill to appropriate to Columbus Union Fair and Agricultural Society a sum of money.

To Committee on Claims.

By Senator Farr:

No. 219, S.,

A bill to prohibit county, city, village, or town treasurers from holding their office more than two terms in succession.

To Committee on Judiciary.

By Senator Farr:

No. 220, S.,

A bill to repeal chapter 112, of the private and local laws of 1859, entitled, an act to annex a part of the city of Kenosha to the town of Pleasant Prairie.

To Committee on Town and County Organization.

By Senator Barron:

No. 221, S.,

A bill to incorporate the city of River Falls.

To select committee, consisting of Senator Barron, and ordered not printed.

By Senator Flint:

No. 222, S.,

A bill to improve the Chippewa River, and its tributaries above Eau Claire Rapids, for log-driving purposes.

To select committee, consisting of Senator Flint, and ordered not printed.

By Senator Barron:

No. 223, S.,

A bill to amend chapter 45, of the general laws of 1871, entitled, an act to amend section 1, of chapter 53, of the general laws of 1858, entitled, an act for the formation and protection of county agricultural societies.

To Committee on Agriculture.

By Senator Bryant:

No. 224, S.,

A bill for the protection of whitefish in Lake Michigan, and to preserve the purity of its wates and of the streams entering therein.

To Committee on State Affairs. Ordered not printed.

By Senator Silverthorn:

No. 225, S.,

A bill to amend section 4, of chapter 342, of the private and local laws of 1863, entitled, "an act to incorporate the Albion Academy and Normal Institute."

To Committee on Incorporations.

By Senator Silverthorn:

No. 226, S.,

A bill to attach Lincoln county to the 8th Congressional District.

To Committee on Judiciary.

By Senator Nevins:

No. 227, S.,

A bill to revise, consolidate, and amend the charter of the city of La Crosse, approved February 19, 1869, and the several acts amendatory thereof.

To select committee, consisting of Senator Nevins, and ordered not printed.

By Senator Nevins:

No. 228, S.,

A bill to amend certain sections of chapter 13, of the revised statutes, entitled, "of counties and county officers."

To Committee on Judiciary.

By Senator Nevins :

No. 229, S.,

A bill to provide for the numbering consecutively of instruments or writings offered for record or to be filed in the office of registers of deeds.

To Committee on Judiciary.

By Senator Wilmot :

No. 230, S.,

A bill to repeal chapter 77, of the laws of 1873, relating to copies of papers in legal actions.

To Committee on Judiciary.

By Senator Nevins :

No. 231, S.,

A bill to amend chapter 109, of the general laws of 1874, entitled, "an act to provide for the proper safe-keeping of the report of the geological survey."

To Committee on Education.

By Senator Nevins:

No. 232, S.,

A bill for the protection of fish in the inland waters of the State.

To Committee on State Affairs, and ordered not printed.

By Senator Treat:

No. 233, S.,

A bill to submit to the people an amendment to section 23, of article 4, of the constitution of the State of Wisconsin.

To Committee on Judiciary.

By Senator Rounds:

No. 234, S.,

A bill for the relief and protection of stockholders in railroad corporations.

To Committee on Railroads.

By Senator Hiner :

No. 235, S.,

A bill relating to the publication of the Legislative Manual, and amendatory of chapter 72, of laws of 1873.

To Committee on Legislative Expenditures.

By Senator Rounds:

No. 236, S.,

A bill to amend section 1, of chapter 299, of the general laws of 1873, entitled, an act to amend chapter 56, general laws of 1870, entitled, an act to provide for the incorporation and government of fire and inland navigation insurance companies.

To Committee on Banks, Banking, and Insurance.

By Senator Hathaway:

No. 237, S.,

A bill to authorize the directors of Wisconsin State Prison to lease the labor of the convicts therein confined.

To Committee on State Prison, and ordered not printed.

By Senator Wilmot:

No. 238, S.,

A bill to amend section '1, of chapter 33, of the general laws of 1874, relating to permanent land-marks.

To Committee on Internal Improvements.

By Senator Wilmot:

No. 239, S.,

A bill to amend section 2, of chapter 120, of the general laws of 1862, in relation to county surveyors.

To Committee on Internal Improvements.

By Senator Downs:

No. 240, S.,

A bill relating to the powers of county boards of supervisors, and amendatory of section 2, of chapter 152, laws of 1875.

To Committee on Roads, Bridges, and Ferries.

By Senator Downs:

No. 241, S.,

A bill to authorize and empower the school land commissioners to extend the time for payment of balance of principal on loan to school district No. 2, town of Richland, county of Richland, and State of Wisconsin.

To Committee on Education.

By Senator Downs:

No. 242, S.

A bill to appropriate a certain sum of money therein named to J. Henry Tate.

To select committee of one, consisting of Senator Downs, and ordered not printed.

By Senator Blair:

No. 243, S.,

A bill to cure all defects and irregularities in the proceedings relative to the reorganization into joint stock company by the Waukesha County Agricultural Society.

To Committee on Agriculture, and ordered not printed.

By Senator Blair:

No. 244, S.,

A bill to amend chapter 59, of the laws of Wisconsin, for 1875, entitled, "an act to incorporate the city of Oconomowoc."

To Committee on Incorporations, and ordered not printed.

By Senator R. E. Davis:

No. 245, S.,

A bill for the preservation of fish in Lake Marion, Dane county.

To Committee on State Affairs.

By Senator R. E. Davis:

No. 246, S.,

A bill to consolidate and amend the game laws of Wisconsin.

To Committee on State Affairs, and ordered not printed.

By Senator Flint :

No. 247, S.,

A bill to reconstruct the 11th judicial circuit, and fix the time for holding the terms thereof.

To Committee on Judiciary.

By Senator Schuette :

No. 248, S.,

A bill requiring the Wisconsin Central Railroad Company to re-lay its track and maintain and operate its road from Menasha to Appleton.

To Committee on Railroads.

By Senator Bryant :

No. 249, S.,

A bill to provide for a State sinking fund.

To Committee on State Affairs.

By Senator Bryant :

No. 250, S.,

A bill to amend section 112, of chapter 152, general laws of 1869, entitled, "an act to codify the laws of this State relating to highways and bridges."

To Committee on Roads, Bridges, and Ferries.

By Senator Bryant:

No. 251, S.,

A bill to appropriate to the Governor a certain sum of money for a contingent fund.

To Committee on State Affairs.

By Senator Bryant:

No. 252, S.,

A bill relating to the issue of State warrants.

To Committee on State Affairs.

By Senator Bryant:

No. 253, S.,

A bill to protect deposits in State and national banks.

To Committee on Banks, Banking, and Insurance.

By Senator Campbell:

No. 254, S.,

A bill to appropriate to Atwood & Culver the sum of money therein named.

To Committee on Printing.

By Senator Campbell:

No. 255, S.,

A bill to amend chapter 113, of the private and local laws of 1867, and chapter 402, of the private and local laws of 1869, relating to the village of Shullsburg.

To Committee on Judiciary.

By Senator Reed:

No. 256, S.,

A bill to provide for the election of justices of the peace in the city of Watertown.

To Committee on Judiciary.

By Senator Barron:

No. 257, S.,

A bill in relation to the boundaries of the town of Baldwin, in St. Croix county.

To Committee on Judiciary.

By Senator Rounds:

No. 258, S.,

A bill relating to trespassing on State lands, and for the repeal of chapter 21, of the general laws of 1871, entitled, "an act to consolidate and amend the laws relating to trespassing on State lands."

To Committee on Public Lands.

By Senator Schuette:

No. 259, S.,

A bill to provide for the payment of costs arising from actions brought in the name of the State, by a special treasury agent.

To Committee on Claims.

By Senator Barron:

No. 260, S.,

A bill to amend section 3, chapter 3, of the general laws of 1871, entitled, "an act to fix the time of holding court in 11th judicial circuit, and to provide for the appointment of special terms of court and to dispense with grand and petit jurors at certain terms."

To Committee on Judiciary.

By Senator Barron:

No. 261, S.,

A bill to amend sections 1, 2, and 3, of chapter 299, of the laws of Wisconsin of 1875, entitled, "an act to prescribe the duties and regulate the fees of the lumber inspector of the fourth district."

To Committee on Judiciary.

By Senator Barron:

No. 262, S.,

A bill to amend section 25, of chapter 152, general laws of 1869, entitled, "an act to codify the laws of this State relating to highways and bridges."

To Committee on Judiciary.

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## REPORTS OF COMMITTEES.

The Committee on Engrossed Bills, have examined and find correctly engrossed the following bills:

No. 106, S.,

A bill to permanently provide for deficiencies in the University fund income.

No. 126, S.,

A bill to amend section 1, of chapter 84, of the general laws of 1874, entitled, an act to amend chapter 166, of the general laws of 1869, entitled, an act to repeal chapter 132, of the general laws of



1866, entitled, an act to vest the title of unredeemed lands in counties.

No. 132, S.,

A bill to extend the time for the construction of the North Wisconsin Railway, and to waive the forfeiture incurred by the North Wisconsin Railway Company, by its failure to construct twenty miles of its road during the year 1875.

No. 134, S.,

A bill to repeal chapter 267, laws of 1873, entitled, an act to authorize town supervisors to lay out public highways in certain cases.

No. 147, S.,

A bill to allow sheriffs and constables to receive necessary and actual disbursements in certain cases.

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The Committee on Engrossed Bills have examined and find correctly engrossed the following bills:

No. 114, S.,

A bill to appropriate money to the Outagamie County Agricultural Society.

No. 140, S.,

A bill to authorize Dudley J. Spaulding to maintain dams across the north and south forks of Popple River and Brett Creek, in Clark county.

D. E. WELCH,

*Chairman.*

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The Committee on the Judiciary, to which was referred,

No. 70, S.,

A bill to fix the the time of holding the terms of the seventh judicial circuit.

Has had the same under consideration, and instructed me to report the same back, with the recommendation that it be referred to a select committee to consist of Senators Scott, Silverthorn, and Potter.

H. D. BARRON,

*Chairman.*

So ordered.

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The Committee on the Judiciary, to which was referred,

No. 154, S.,

A bill to waive the statutes of limitations and other technical defenses therein named.

Has had the same under consideration, and instructed me to report it back, with the recommendation that it do pass.

Senators Potter and Barron dissenting.

H. D. BARRON,

*Chairman.*

The Committee on the Judiciary, to which was referred,  
No. 148, S.,

A bill to confer on certain associations of the citizens of the State of Wisconsin, the powers and immunities of corporations and bodies politic in law.

No. 172, S.,

A bill to amend chapter 343, of the laws of 1875, entitled, "an act to amend chapter 127, of the laws of 1874, entitled, 'an act to incorporate the city of Menasha.'"

No. 165, S.,

A bill relating to the assessment and collection of taxes.

No. 163, S.,

A bill to amend section 2, of chapter 135, of the revised statutes of Wisconsin, entitled, "of the survival of actions, and of death, marriage, or other disability, occurring after the commencement of an action."

No. 138, S.,

A bill to confer jurisdiction on the county court of La Fayette county.

No. 157, S.,

A bill to appropriate a sum of money for the purchase of books for the State Library.

Has had the same under consideration and instruct me to report them back with the recommendation that they pass, a minority of the committee dissenting so far as relates to No. 157, S.

H. D. BARRON,  
*Chairman.*

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The Committee on Judiciary, to which was referred,

No. 69, S.,

A bill in relation to the pontoon bridge across the Mississippi River at Prairie du Chien,

No. 103, A.,

A bill to amend section 1, chapter 17, of the general laws of 1874, relating to the lien-law, and extending the provisions of said law to the counties of Taylor and Lincoln.

No. 66, S.,

A bill to authorize N. O. Murray and L. S. Lenhart to keep and maintain a ferry across Lake Pepin from the village of Stockholm, Wisconsin, to Lake City, Minnesota.

No. 130, S.,

A bill to repeal chapter 150, of the general laws of 1868, entitled, "an act relating to the collection of taxes," and acts amendatory thereof.

Has had the same under consideration and instructed me to report them back with amendments, and the recommendation that they do pass when so amended.

H. D. BARRON,  
*Chairman.*

The Committee on Enrolled Bills have presented the following bills to his excellency, the Governor, for signature:

No. 13, S.,

A bill to lay out and establish a State road from Wausau to Shawano.

M. C. No. 1, S.,

Memorial to Congress for the establishment of a daily mail route between Marine Mills, Washington county, Minnesota, *via* Farmington Center, to Osceola Mills, Polk county, Wisconsin.

M. C. No. 2, S.,

Memorial to Congress for increased mail facilities in the counties of Green Lake and Waushara.

R. J. FLINT,  
*Chairman.*

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The Committee on Town and County Organization have had under consideration,

No. 61, A.,

A bill for the division of the counties of Clark and Marathon, and the creation of the county of Langlade.

Have instructed me to report the same back with amendments, with the recommendation that it do pass when so amended.

W. P. ROUNDS,  
*Chairman.*

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The Joint Committee on Claims has had under consideration,

No. 61, S.,

A bill to provide for the purchase of 300 copies of Webster's Unabridged Dictionary.

No. 95, S.,

A bill relating to county agricultural societies, and to appropriate a sum of money therein named.

No. 105, S.,

A bill to appropriate to the Dodge County Agricultural Society a sum of money therein named.

No. 131, S.,

A bill to appropriate to the Iowa County Agricultural Society a sum of money therein named.

No. 64, S.,

A bill to appropriate a sum of money therein named to the Institution for the Education of the Blind, for the purpose of paying indebtedness incurred in furnishing the wing of said building with furniture and fixtures.

And have directed me to report the same back to the Senate with the recommendation that the same do pass.

FRANCIS CAMPBELL,  
*Chairman.*

The Committee on Federal Relations, to whom was referred,  
M. C. No. 3, A.,  
Have had the same under consideration, and directed me to report the same back, recommending its adoption.

G. E. BRYANT,  
*Chairman.*

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The Joint Committee on Charitable and Penal Institutions, to which was referred,

No. 150, S.,

A bill to provide for the better care of paupers and destitute children.

And have instructed me to report the bill back with a recommendation that it do pass.

No. 152, S.,

A bill to provide for furnishing Bibles to the charitable and reformatory institutions of the State.

And have instructed me to report the bill back without recommendation.

H. N. DAVIS,  
*Chairman.*

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The Committee on Education, to which was referred,

Res. No. 28, S.,

Instructing said committee to consider the subject of printing the geological reports now on file in manuscript, in the capitol.

No. 149, S.,

A bill relating to the preparation, publication, and distribution of the final report of the geological survey, and to appropriate a sum of money therein named.

Have fully considered the subject embraced in the resolution and bill, and instructed me to recommend the passage of the bill, as carrying out the object of the resolution.

S. L. NEVINS,  
*Chairman.*

The resolution, (No. 28, S.,) was adopted.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof :

Mr. PRESIDENT :—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 66, A.,

A bill to prevent the hunting of deer with dogs, in the counties of Calumet, Outagamie, and Shawano.

No. 136, A.,

A bill to amend chapter 53, private and local laws of 1872, entitled, "an act to provide for the county printing in the county of Waupaca."

No. 71, A.,

A bill relating to the charter of the city of Sheboygan, and to enable the city of Sheboygan to construct works for the supply of water from an artesian well; to manage and regulate the same; to dispose of water from said well; to appropriate the proceeds of such sales, and to improve the public parks.

No. 41, A.,

A bill for the preservation of duck and other wild fowl.

No. 22, A.,

A bill to lay out a State road from the city of Chippewa Falls, in Chippewa county, to Medford, in Taylor county, and a road from Westboro, in Taylor county, to intersect the same.

And has concurred in,

No. 6, S.,

To authorize town insurance companies to insure real and personal property in any town, and adjoining towns, in the same county where such insurance companies may be located, and to legalize such insurance heretofore made.

And present you for signature,

No. 14, A.,

An act to legalize the acts of Ferdinand Ree, justice of the peace, in the county of Manitowoc.

No. 73, A.,

An act to repeal chapter 298, of laws of Wisconsin, of 1875, entitled, "an act to create a board of park commissioners for the west side of the city of Milwaukee."

No. 2, A.,

An act to constitute the clerk of the circuit court of Winnebago county, Wisconsin, clerk of the county court of said county, in probate, and all other proceedings therein.

No. 15, A.,

An act to legalize the acts of Charles Heins, a justice of the peace, in the county of Manitowoc.

No. 12, A.,

An act relating to the erection of permanant land-marks and amandatory of section 120, of chapter 15, of revised statutes, entitled, of towns and town officers, as amended by section 5, chapter 167, of general laws of 1867.

No. 11, A.,

An act to enable foreign trustees to sue in the State of Wisconsin,

No. 181, A.,

An act amendatory of sections 24 and 25, chapter 151, general laws 1869, entitled, an act to codify the laws relating to normal schools.

No. 38, A.,

An act to amend chapter 449, of the private and local laws of 1869, entitled, an act to incorporate the city of Oshkosh.

The same having been signed by the Speaker.

Said acts were signed by the President.

And return you,

No. 13, S.,

An act to lay out and establish a State road from Wausau to Shawano.

M. C. No. 1, S.,

Memorial to Congress for the establishment of a daily mail route between Marine Mills, Washington county, Minnesota, via Farmington Center, to Osceola Mills, Polk county, Wisconsin.

M. C. No. 2, S.,

Memorial to Congress, for increased mail facilities in the counties of Green Lake and Waushara.

Said acts having been signed by the Speaker, were signed by the President.

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#### ASSEMBLY MESSAGES CONSIDERED.

Nos. 41, and 66, A.,

Were referred to the Committee on State Affairs.

No. 136, A.,

Was referred to the Committee on Printing.

No. 71, A.,

Was referred to the Committee on Incorporations.

No. 22, A.,

Was referred to the Committee on Roads, Bridges, and Ferries.

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#### RESOLUTIONS CONSIDERED.

Res. No. 34, S.,

Requesting the Committee on Printing to confer with the commissioners on revision of laws, relating to printing laws in pamphlet form for general distribution.

Introduced on yesterday by Senator Downs.

The resolution was adopted.

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#### SENATE BILLS ON THEIR THIRD READING.

No. 126, S.,

A bill to amend section 1, of chapter 84, of the general laws of 1874, entitled, "an act to amend chapter 166, of the general laws of 1869, entitled, 'an act to repeal chapter 132, of the general laws of 1866, entitled, 'an act to vest the title of unredeemed lands in counties,'"

No. 132, S.,

A bill to extend the time for the construction of the North Wis-

consin Railway, and to waive the forfeiture incurred by the North Wisconsin Railway Company, by its failure to construct twenty miles of its road during the year 1875.

No. 134, S.,

A bill to repeal chapter 267, laws of 1873, entitled, "an act to authorize town supervisors to lay out public highways in certain cases."

No. 140, S.,

A bill to authorize Dudley J. Spaulding to maintain dams across the North and South Forks of Popple River, and Brett Creek, in Clark county.

No. 147, S.,

A bill to allow sheriffs and constables to receive necessary and actual disbursements in certain cases.

Were severally read a third time and passed.

No. 64, S.,

A bill to appropriate a sum of money therein named to the Institution for the Education of the Blind, for the purpose of paying indebtedness incurred in furnishing the wing of said building with furniture and fixtures.

Was read a third time and passed by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Treat, Welch, and Wilmot—32.

No. 106, S.,

A bill to permanently provide for deficiencies in the University fund income.

Was read a third time, and

Passed by the following vote:

Ayes—Senators Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Reed, Ryan, Schuette, Scott, Silverthorn, and Wilmot—27.

Nays—Senators Barden, Treat, and Welch—3.

No. 114, S.,

A bill to appropriate money to the Outagamie County Agricultural Society.

Was read a third time and passed by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Treat, Welch, and Wilmot—31.

No. 93, S.,

A bill to repeal chapter 348, of the laws of Wisconsin of 1874, entitled, "an act to amend chapter 46, of the general laws of 1869, entitled, 'an act to protect the lands and timber granted to the St. Croix and Lake Superior Railroad Company,'"

Was postponed until Tuesday, the 15th.

## ASSEMBLY BILLS ON THEIR THIRD READING.

No. 80, A.,

A bill to authorize William H. Decker to build and maintain a dam across the Trempealeau River.

No. 130, A.,

A bill to repeal chapter 117, laws of 1869, and chapter 19, laws of 1871, entitled, "an act to provide for a system of county highways in Brown county, and for the adoption of such systems in other counties."

No. 227, A.,

A bill to repeal subdivision 6, of section 8, of chapter 12, of chapter 501, of the private and local laws of 1868, entitled, an act to consolidate and amend an act to revise, consolidate, and amend the act to incorporate the city of Oshkosh, and the several acts amendatory thereof, approved March 22, 1861, and to amend an act to revise, consolidate, and amend the act in relation to the public schools in the city of Oshkosh, and the several acts amendatory thereof, approved April 9, 1866, approved March 6, 1868.

M. C. No. 3, A.,

Memorial to Congress for the establishment of a weekly mail-route from Kiel to Memee post-office, Manitowoc county, Wisconsin.

Were severally ordered to a third reading.

The amendment to

No. 103, A.,

A bill to amend section 1, of chapter 17, of the general laws of 1874, relating to the lien-law, and extending the provisions of said law to the counties of Taylor and Lincoln,

Was adopted, and the bill ordered to a third reading.

No. 61, A.,

A bill for the division of the counties of Clark and Marathon, and the erection of the county of Langlade.

The question being on the adoption of the amendments reported by the committee, No. 1 was rejected; Nos. 2, and 3, were adopted, and pending the question on the adoption of No. 4, the bill was, on motion of Senator Barden, referred to the Committee on Judiciary.

No. 100, A.,

A bill to repeal chapter 172, of the general laws of 1875, entitled, "an act to amend section 45, chapter 120, revised statutes, entitled, of courts held by justices of the peace,"

Was indefinitely postponed.

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SENATE BILLS READY FOR ENGROSSMENT.

No. 95, S.,

A bill relating to county agricultural societies, and to appropriate a sum of money therein named.



No. 105, S.,

A bill to appropriate to the Dodge County Agricultural Society, a sum of money therein named.

No. 131, S.,

A bill to appropriate to the Iowa County Agricultural Society, a sum of money therein named.

No. 148, S.,

A bill to confer on certain associations of the citizens of the State of Wisconsin, the powers and immunities of corporations and bodies politic in law.

No. 149, S.,

A bill relating to the preparation, publication, and distribution of the final report of geological survey, and to appropriate a sum of money therein named.

No. 150, S.,

A bill to provide for the better care of pauper and destitute children.

No. 163, S.,

A bill to amend section 2, of chapter 135, of the revised statutes, entitled, "of the survival of actions, and of death, marriage or other disability, occurring after the commencement of the action."

No. 165, S.,

A bill in relation to the assessment and collection of taxes.

No. 172, S.,

A bill to amend chapter 343, of the laws of 1875, entitled, "an act to amend chapter 127, of the laws of 1874, entitled, "an act to incorporate the city of Menasha."

Were severally ordered engrossed.

The amendments to,

No. 61, S.,

A bill to provide for the purchase of 300 copies of Webster's Unabridged Dictionary.

No. 66, S.,

A bill to authorize N. O. Murray and L. S. Lenhart to keep and maintain a ferry across Lake Pepin from the village of Stockholm, Wisconsin, to Lake City, Minnesota.

No. 69, S.,

A bill in relation to the pontoon bridge across the Mississippi River at Prairie du Chien.

No. 130, S.,

A bill to repeal chapter 150, of the general laws of 1868, entitled, "an act relating to the collection of taxes," and all acts amendatory thereof.

No. 153, S.,

A bill to amend section 13, of chapter 243, of the laws of 1874, entitled, "an act relating to public printing."

Were adopted, and the bills were severally ordered engrossed.

No. 152, S.,

A bill to provide for furnishing bibles for the several penal and charitable, and reformatory institutions of the State of Wisconsin.

Was indefinitely postponed.

No. 138, S.,

A bill to confer jurisdiction on the county court of La Fayette county.

Was referred to a committee of one, consisting of Senator Campbell.

No. 157, S.,

A bill to appropriate a sum of money for the purchase of books for the State library.

Was referred to the Committee on Claims.

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### LEAVES OF ABSENCE.

Leave of absence was asked and obtained for Senator Tate, indefinitely, on account of sickness.

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On motion of Senator R. E. Davis,

The Senate adjourned to 7 o'clock, this evening.

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7 O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The Lieutenant-Governor presiding.

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### MEMORIALS PRESENTED AND REFERRED.

By Senator Welch:

Mem. No. 106, S.,

Of 50 citizens of Sauk county, against the repeal of the law commonly called the "Potter-law."

To Committee on Railroads.

By Senator Flint:

Mem. No. 107, S.,

Of 440 citizens of Taylor county, against the passage of the bill legalizing the election locating the court-house of said county.

To Committee on Judiciary.

By Senator Hudd:

Mem. No. 108, S.,

Of C. L. A. Tank, F. R. Schettler, John Bruinette, Van Buren Bromley, and others for a law setting off part of the present ter-

ritory of the city of Fort Howard, and annexing the same to the town of Ashwabanon, Brown county.

To Committee on Judiciary.

### RESOLUTIONS INTRODUCED.

By Senator Potter:

Res. No. 37, S.,

Requesting Railroad Commissioners to furnish certain information:

WHEREAS, It has been asserted in the newspapers that under the Minnesota railroad law, enacted in 1874, the rates fixed by the commissioners of that State was higher than those fixed in the "Potter-law" in Wisconsin; therefore,

*Resolved*, That the Railroad Commissioners of Wisconsin are requested to report to the Senate the rate per car load on wheat fixed under the Minnesota law of 1874, by the Minnesota Commissioners, from St. Paul to Duluth, from New Ulm to Winona, and from Mankato to Winona; and the Railroad Commissioners are requested to report the rate allowed by the law of Wisconsin respectively on car loads of wheat for the same distances; and they are also requested to report the difference in elevator charges permitted to the railroads in Minnesota, and the rates charged by the railroad elevators in the city of Milwaukee.

The resolution lies over.

By Senator Potter:

Res. No. 38, S.,

Requesting Railroad Commissioners to furnish certain information.

*Resolved*, That the Railroad Commissioners are requested to inform the Senate of the advance in price, between January 1, 1874, and February 8, 1876, of the common stock of the Chicago and Northwestern Railroad, and of the common stock of the Chicago, Milwaukee and St. Paul Railway; and also the advance in price during the same period of the preferred stock of each of said railroad companies.

By Senator Welch:

Res. No. 39, S.,

Relating to printing.

*Resolved*, That the Committee on Printing be and they are hereby requested to consider the propriety of amending the law relating to public printing, requiring all local laws, to be published in local papers only, and that expense of such publication to be charged to the city, town or incorporation which it may effect, and report by bill or otherwise.

The resolution lies over.

By Senator Barron:

Res. No. 40, S.,

In relation to expenses and allowances for legal services for the State.

WHEREAS, the records of the executive office, of the Secretary of State, and the State Treasurer's office, show that the amount paid during the past two years by the State for legal services, exceeds the sum of forty-two thousand dollars, and it is believed that all claims for legal services within said time are not yet audited and paid,

*Resolved*, That the Judiciary Committee are instructed to take the subject of such expenditures into consideration, and report a bill making it the duty of the Attorney-General and his regularly-appointed assistant, to conduct and do the legal business of the State, prohibiting the employment of additional counsel except in extraordinary cases, in which the judges of the Supreme Court, or the Governor, Secretary of State and State Treasurer shall certify it to be necessary, and providing, further, sufficient salary for said Attorney-General and an Assistant Attorney-General, if it deems the present compensation insufficient, the same to include all matters where the State is directly interested, or where the interests of any trusts or funds which it holds or has in its keeping are involved.

The resolution lies over.

By Senator Hudd:

Jt. Res. No. 16, S.,

To amend section 4, of article 7, of the constitution of the State of Wisconsin, providing for the enlargement of the Supreme Court to five judges.

Referred to Committee on Judiciary.

By Senator Flint:

Jt. Res. No. 17, S.,

Proposing an amendment to section 5, of article I, of the constitution of the State of Wisconsin, so as to dispense with the requirement of unanimous verdicts by juries.

Referred to select committee of one, consisting of Senator Flint.

By Senator Hiner:

Jt. Res. No. 18, S.,

Requesting the establishment of a signal-station at Madison, Wisconsin.

WHEREAS, The signal service of the War Department of the United States army has become of incalculable importance to the interests of commerce and agriculture; and

WHEREAS, It is desirable that the service may be afforded more complete data for its weather predictions by increasing its facilities for observation; therefore be it

*Resolved, by the Senate, the Assembly concurring*, That Brigadier-General Albert J. Meyer, chief signal officer of the United States Army, be and is hereby earnestly and respectfully requested, to establish, at the earliest period practicable, a signal-station at the

University of Wisconsin, located at the city of Madison, where now are being erected ample buildings for strictly scientific purposes.

*Resolved further*, That the State Board of University Regents be requested, in the name of the State of Wisconsin, to tender to the chief signal officer aforesaid the free use of rooms for such officer in the building herein referred to, and to forward to him a copy of the foregoing preamble and resolution.

The rules were suspended, and the resolution was adopted.

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### BILLS INTRODUCED.

Read first and second times and referred.

By Senator R. E. Davis:

No. 263, S.,

A bill to regulate the times of holding the circuit court in Dane county.

To Committee on Judiciary.

By Senator Ryan:

No. 264, S.,

A bill to amend chapter 342, of the private and local laws of 1868, entitled, an act to incorporate the Manitowoc & Minnesota Railroad Company, for the relief of the stock-holders and directors therein named.

To select committee consisting of Senator Ryan; ordered not printed.

By Senator Bryant:

No. 265, S.,

A bill relating to the issue of State warrants upon the requisition of the executives of other States.

To Committee on State Affairs.

By Senator Hudd:

No. 266, S.,

A bill to detach certain territory, from the city of Fort Howard, and attach the same to the town of Ashwabanon, Brown county.

To Committee on Judiciary.

By Senator Hudd:

No. 267, S.,

A bill relating to actions on appeals to the Supreme Court.

To Committee on Judiciary.

By Senator Schuett:

No. 268, S.,

A bill to require village and city authorities to construct vaults or structures for temporary keeping of dead bodies before interment in certain cases.

To Committee on Judiciary.

By Senator Jacobs:

No. 269, S.,

A bill to amend section 29, chapter 56, general laws of 1870, entitled, an act to provide for the incorporation and government of fire and inland navigation and insurance companies.

To Committee on Insurance, Banks and Banking.

By Senator Bryant:

No. 270, S.,

A bill to appropriate a sum of money therein named to pay for additional copies of the Legislative Manual for 1876.

To select committee of one, consisting of Senator Bryant; ordered not printed.

By Senator Flint:

No. 271, S.,

A bill relating to the discontinuance of roads by use, and amendatory of section 85, of chapter 19, of the revised statutes, entitled, of roads and bridges.

To Committee on Roads, Bridges, and Ferries.

By Senator Barden:

No. 272, S.,

A bill relating to two or more election districts in one town, and amendatory of chapter 444, general laws of 1864.

To Committee on Judiciary.

By Senator Rounds:

No. 273, S.,

A bill for the construction of a dam on Otter Creek, township 40, range 18 east, in Oconto county, Wisconsin, and maintain the same for manufacturing purposes.

To select committee of one, consisting of Senator Rounds; ordered not printed.

By Senator Baker:

No. 274, S.,

A bill to amend an act entitled, "an act to incorporate the city of Ripon."

To Committee on Incorporations.

By Senator Flint:

No. 275, S.,

A bill to amend section 1, of chapter 139, laws of 1871, entitled, "an act to amend chapter 104, of the general laws of 1870."

To select committee, consisting of Senator Flint; and ordered not printed.

By Senator Reed:

No. 276, S.,

A bill to found the Wisconsin Home for the Incurable Insane.

To select committee consisting of Senator Reed; and ordered not printed.

By Senator Reed:

No. 277, S.,

A bill to authorize the State Board of Charities and Reform to

transfer insane persons from one hospital to another, in certain cases.

To Committee on Charitable and Penal Institutions.

By Senator Barron:

No. 278, S.,

A bill relating to petitions for laying out, discontinuing, or vacating highways, in Polk county.

To Committee on Roads, Bridges, and Ferries.

By Senator Barron:

No. 279, S.,

A bill to repeal a portion of chapter 156, of the private and local laws of 1869, entitled, an act declaring Balsam Branch, Sucker Lake, and Sucker Branch, in the county of Polk, navigable for the purpose of driving logs, and also to repeal a portion of chapter 430, of the private and local laws of 1868, entitled, an act to incorporate the Apple River Log Driving Company.

To Committee on Judiciary.

By Senator Barron:

No. 280, S.,

A bill to amend section 1, of chapter 284, of the laws of Wisconsin of 1875, entitled, an act in relation to the duties and fees of registers of deeds, and other county officers in certain cases.

To Committee on Judiciary.

By Senator Barron:

No. 281, S.,

A bill to enable certain towns in the county of Polk to settle their present indebtedness.

To select committee of one, consisting of Senator Barron; and ordered not printed.

By Senator Barron:

No. 282, S.,

A bill in relation to the State library.

To Committee on Education.

By Senator Mitchell:

No. 283, S.,

A bill declaring certain waters of the Kinnickinnick River, in the town of Lake, Milwaukee county, to be navigable waters.

To select committee, consisting of Senators Mitchell and Jacobs.

By Senator Potter:

No. 284, S.,

A bill in relation to express companies in the State of Wisconsin.

To Committee on Railroads.

By Senator Flint:

No. 285, S.,

A bill to legalize the action of the Dunn county board of super-

visors, in fixing the salary of the county superintendent of schools, of said county.

To Select Committee consisting of Senator Flint; and ordered not printed.

By Senator Flint:

No. 286, S.,

A bill to detach the county of Barron from the eighth judicial circuit and to attach said county to the eleventh judicial circuit, and to fix the terms of court therein.

To Committee on Judiciary.

By Senator Barron:

No. 287, S.,

A bill to amend section 3, of chapter 292, of the laws of Wisconsin, of 1873, entitled, "an act to provide for a complete geological survey of Wisconsin, and to repeal chapter 137, of the general laws of 1870, entitled, an act to provide for the survey of the lead district, making maps and collecting statistics from the same, and chapter 136, of the general laws of 1872, amendatory thereof.

To Committee on Education.

By Senator Rounds:

No. 288, S.,

A bill to lay out a highway from the city of Menasha to Woodville, in Calumet county.

To select committee, consisting of Senator Rounds, and ordered not printed.

By Senator Farr.

No. 389, S.,

A bill to amend chapter 125, of the general laws of 1875, entitled, an act to provide for costs on suits of *certiorari* from justices of the peace.

To select committee, consisting of Senator Farr; and ordered not printed.

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## MEMORIALS TO CONGRESS PRESENTED, READ FIRST AND SECOND TIMES AND REFERRED.

By Senator Bryant:

M. C. No. 12, S.,

To provide fishways at the dams and locks on the Fox River, in the State of Wisconsin.

To Committee on Federal Relations.

By Senator Silverthorn:

M. C. No. 13, S.,

Requesting an investigation into alleged frauds upon the revenue of the United States, within the State of Wisconsin.

To Committee on Federal Relations.



## REPORTS OF COMMITTEES.

The Committee on Judiciary, to which was referred,

No. 61, A.,

A bill for the division of the counties of Clark and Marathon, and the erection of the county of Langlade,

Has had the same under consideration, and instructed me to report it back with certain amendments, and to recommend that when thus amended it be concurred in.

Senators Potter and Barron dissenting from so much of said amendments, as relates to the boundaries of said county.

H. D. BARRON,

*Chairman.*

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The Committee on Federal Relations, to which was referred,

M. C. No. 11, S.,

Have had the same under consideration, and have instructed me to report the same back recommending its adoption. Also,

M. C. No. 9, S.,

And report the same back with amendments, and recommend its adoption when so amended.

G. E. BRYANT,

*Chairman.*

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The Committee on Federal Relations, to whom was referred,

No. 56, S.,

A bill authorizing counties, cities, villages, and towns to make appropriations for celebrating the Centennial year of the nation's existence.

Have had the same under consideration, and directed me to report the same back with a recommendation that it do pass.

GEO. E. BRYANT,

*Chairman.*

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On motion of Senator Potter,  
The Senate adjourned.

FRIDAY, FEBRUARY 11, 1876.

10 O'CLOCK, A. M.

The Senate met.

The President *pro tem.* in the chair.

Prayer by the Rev. L. Y. Hayes.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Treat, Welch, and Wilmot.

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#### LEAVES OF ABSENCE.

Leaves of absence were granted to Senators Mitchell, Treat, Rounds, and Eastman, until Monday evening, and to Senator Downs until Tuesday next.

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#### MEMORIALS PRESENTED AND REFERRED.

By Senator McFarland :

Mem. No. 109, S.,

Of Moses M. Strong, Alex. Wilson, and 20 others, citizens of Iowa county, for an additional appropriation to the State Historical Society.

To Committee on Claims.

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#### RESOLUTIONS INTRODUCED.

By Senator Barron :

Res. No. 41, S.,

Requesting Judiciary Committee to investigate the affairs of the State Library:

*Resolved*, That the Committee on Judiciary, to which was referred,

No. 282, S.,

Relating to the State Library, are instructed to make an investigation into the affairs and management of the State Library, and to ascertain the present indebtedness thereof.

On motion of Senator Barden,

The rules were suspended, and the resolution was adopted:

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### REPORTS OF COMMITTEES.

The Committee on Engrossed Bills have examined and find correctly engrossed the following bills:

No. 105, S.,

A bill to appropriate to the Dodge County Agricultural Society a sum of money therein named.

No. 165, S.,

A bill in relation to the assessment and collection of taxes.

No. 95, S.,

A bill relating to county agricultural societies, and to appropriate a sum of money therein named.

No. 172, S.,

A bill to amend chapter 343, of the laws of 1875, entitled, an act to amend chapter 127, of the laws of 1874, entitled, an act to incorporate the city of Menasha.

No. 131, S.,

A bill to appropriate to the Iowa County Agricultural Society a sum of money therein named.

No. 163, S.,

A bill to amend section 2, of chapter 135, of the revised statutes, entitled, of the survival actions, and of death, marriage, or other disability occurring after the commencement of the action.

No. 61, S.,

A bill to provide for the purchase of 300 copies of Webster's Unabridged Dictionary.

No. 150, S.,

A bill to provide for the better care of pauper and destitute children.

No. 153, S.,

A bill to amend sections 11 and 13, of chapter 243, of the laws of 1874, entitled, an act relating to public printing.

No. 149, S.,

A bill relating to the preparation, publication, and distribution of the final report of the geological survey, and to appropriate a sum of money therein named.

No. 66, S.,

A bill to authorize N. O. Murray and M. S. Lenhart to keep and

maintain a ferry across Lake Pepin, from the village of Stockholm, Wisconsin, to Lake City, Minnesota.

D. E. WELCH,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,  
No. 110, A.,

A bill to legalize the acts of Wm. H. Harvey, notary public in the county of Kewaunee.

No. 63, A.,

A bill to legalize the acts of Robert Goodfellow, a notary public for Brown county.

No. 39, A.,

A bill to repeal chapter 153, of the general laws of 1867, entitled, "an act to amend section 78, of chapter 15, of the revised statutes, entitled, 'of towns and town officers, powers and duties of towns.'"

No. 4, A.,

A bill to provide for taking depositions in county courts, in probate matters.

Has had the same under consideration, and instructed me to report them back with the recommendation that they be concurred in.

H. D. BARRON,  
*Chairman.*

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The Committee on Judiciary to which was referred,

No. 90, A.,

A bill to authorize the city of Janesville, to issue bonds.

Has had the same under consideration, and instructed me to report it back without recommendation.

H. D. BARRON,  
*Chairman.*

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The Committee on Enrolled Bills, have examined and find correctly enrolled the following bills:

No. 14, S.,

An act to amend section 1, of chapter 306, of the general laws of 1875, entitled, an act to transfer the Soldiers' Orphans' Home to the custody of the regents of the State University.

No. 7, S.,

An act to amend section 25, of chapter 119, of the revised statutes, entitled, "general provisions concerning courts of record, of the powers and duties of judges, and of attorneys and officers of courts."

No. 10, S.,

An act relating to highways and amendatory to section 1, of chapter 130, general laws of 1867.

M. C. No. 4, S.,

Memorial to Congress for increased mail facilities for the northern portion of Sauk county.

M. C. No. 6, S.,

Memorial to the Congress of the United States for an appropriation to improve the navigation of the Chippewa River.

M. C. No. 5, S.,

Memorial to Congress for increase of mail service from Durand to Pepin, in Pepin county.

M. C. No. 7, S.,

Memorial to Congress for the establishment of a semi-weekly mail-route from Wausau to Colby, via Stettin, Marathon, and Wein.

No. 6, S.,

An act to authorize town insurance companies to insure real and personal property in any town and adjoining towns in the same county where such insurance companies may be located, and to legalize such insurance heretofore made.

R. J. FLINT,

*Chairman.*

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The Committee on Legislative Expenditures, to whom was referred bill

No. 54, S.,

A bill to codify and consolidate the laws relating to pay and mileage of members, pay of employes, and providing for newspapers, postage stamps, stationery, and opening of legislature.

Have had the same under consideration, and directed me to report the same back with amendments, and when so amended recommend that it pass.

J. HENRY TATE,

*Chairman.*

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The Committee on Roads, Bridges, and Ferries, to whom was referred,

No. 151, S.,

A bill to repeal section 15, of chapter 533, of the general laws of 1865, entitled, "an act to accept the grant of lands made to the State of Wisconsin, by act of Congress, approved June 25, 1864, to aid the construction of a military road from Wausau, Marathon county, to Lake Superior," and to amend section 10, of said chapter 533, by appropriating a sum of money therein named.

Have had the same under consideration and report the same

back with amendment and the recommendation that it do pass when so amended, and referred to the Committee on Claims.

JOHN SCHUETTE,  
*Chairman.*

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The Committee on Education, to which was referred,

The communication of his Excellency the Governor, nominating and appointing, subject to the approval of the Senate, Samuel S. Sherman, John Phillips, and C. A. Weisbrod, Regents of Normal Schools,

Has had the same under consideration, and instruct me to report the same back with the recommendation that said appointments be confirmed.

S. L. NEVINS,  
*Chairman.*

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On motion of Senator Nevins:

The report of the committee was acted upon at this time, and the nominations were confirmed by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Nevins, Potter, Reed, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot—30.

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#### SENATE RESOLUTIONS CONSIDERED.

Res. No. 35, S.,

Requesting Attorney-General to furnish information relating to Corn-Exchange Bank, of Waupun.

Introduced on yesterday by Senator Baker.

The resolution was adopted.

Res. No. 39, A.,

Relating to printing.

Introduced on yesterday by Senator Welch.

The resolution was adopted.

Res. No. 40, S.,

In relation to expenses and allowances for legal services for the State.

Introduced on yesterday by Senator Barron.

Senator Hudd offered the following amendment:

Amend "preamble," by striking out "last two years," and inserting "during the past ten years."

Amend further by striking out "forty-two thousand," in 4th line and insert, "one hundred thousand."

The amendments were agreed to and the resolution as thus amended was adopted.

Jt. Res. No. 15, S.,

Instructing the Attorney-General to commence suit for the recovery of State money.

Introduced on yesterday by Senator Reed.

Senator Barron offered the following amendments:

Amend by inserting after the 2d whereas, the words, "it is rumored that."

Amend further, by striking out of second whereas, the words "but has been drawn from the treasury and is consequently now in the hands of Mr. Bætz, late State Treasurer, or Simeon Mills, treasurer of the hospital."

The amendments were adopted.

Senator Barden offered the following amendment:

Amend by adding,

*Resolved further*, That the board of trustees for the Hospital for the Insane be requested to inform the Senate whether Mr. Mills, the treasurer of the board, has paid all warrants drawn on the treasury by said board, without protest that he had no funds of the State in his hands.

The amendment was lost.

The resolution as amended was then adopted.

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#### ASSEMBLY BILLS READY FOR A THIRD READING.

M. C. No. 3, A.,

Memorial to Congress for the establishment of a weekly mail-route from Kiel to Memee post-office, Manitowoc county, Wisconsin.

No. 80, A.,

A bill to authorize William H Decker to build and maintain a dam across the Trempealeau River.

No. 103, A.,

A bill to amend section 1, of chapter 17, of the general laws of 1874, relating to the lien-law, and extending the provisions of said law to the counties of Taylor and Lincoln,

No. 130, A.,

A bill to repeal chapter 117, laws of 1869, and chapter 19, laws of 1871, entitled, "an act to provide for a system of county highways in Brown county, and for the adoption of such systems in other counties."

No. 227, A.,

A bill to repeal subdivision 6, of section 8, of chapter 12, of chapter 501, of the private and local laws of 1868, entitled, "an act to consolidate and amend an act to revise, consolidate, and amend the act to incorporate the city of Oshkosh, and the several acts amendatory thereof," approved March 22, 1861, and to amend an act to revise, consolidate and amend the act in relation to the public schools in the city of Oshkosh, and the several acts amendatory thereof, approved April 9, 1866, approved March 6, 1868.

The title to said bill,

Was amended so as to read as follows.

A bill to repeal subdivision 6, of section 8, of chapter 12, of the private and local laws of 1868, relating to the city of Oshkosh.

Were severally read a third time and concurred in.

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### SENATE BILLS READY FOR A THIRD READING.

No. 150, S.,

A bill to provide for the better care of pauper and destitute children.

No. 153, S.,

A bill to amend section 13, of chapter 243, of the laws of 1874, entitled, "an act relating to public printing."

No. 163, S.,

A bill to amend section 2, of chapter 135, of the revised statutes, entitled, "of the survival of actions, and of death, marriage or other disability, occurring after the commencement of the action."

No. 165, S.,

A bill in relation to the assessment and collection of taxes.

No. 172, S.,

A bill to amend chapter 343, of the laws of 1875, entitled, "an act to amend chapter 127, of the laws of 1874, entitled, "an act to incorporate the city of Menasha."

Were severally read a third time and passed.

No. 131, S.,

A bill to appropriate to the Iowa County Agricultural Society a sum of money therein named.

No. 95, S.,

A bill relating to County Agricultural Societies, and to appropriate a sum of money therein named.

The title to said bill was amended so as to read as follows:

A bill relating to the Waushara County Agricultural Society, and to appropriate a sum of money therein named.

No. 105, S.,

A bill to appropriate to the Dodge County Agricultural Society a sum of money therein named.

Were severally read a third time and passed, by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hudd, Jacobs, McFarland, Nevins, Potter, Reed, Ryan, Schuette, Scott, Silverthorn, Tate, Welch, and Wilmot—27.

Nays—0.

No. 61, S.,

A bill to provide for the purchase of 300 copies of Webster's Unabridged Dictionary.

Was read a third time and passed by the following vote:



**Ayes**—Senators Baker, Barden, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Flint, Hathaway, Hudd, Jacobs, McFarland, Nevins, Potter, Reed, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot—29.

No. 149, S.,

A bill relating to the preparation, publication, and distribution of the final report of geological survey, and to appropriate a sum of money therein named.

Was referred to the Committee on Claims.

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### ASSEMBLY BILLS ON THEIR THIRD READING.

No. 61, A.,

A bill for the division of the counties of Clark and Marathon, and the erection of the county of Langlade.

The amendments reported by the Judiciary Committee, as an amendment to the amendment, (No. 4) reported to section 7 of the bill, was adopted, and said amendment as thus amended, was agreed to.

The question being on adopting amendment No. 1, which was rejected on yesterday, and was re-reported by the Judiciary Committee as an amendment to section 1, it was agreed to. Amendments Nos. 5, 6, 7, 8 and 9, reported by the Committee on Town and County Organization, were adopted.

The bill was ordered to a third reading.

Senator Hiner moved to suspend the rules, and consider the bill at this time.

The motion was lost by the following vote:

**Ayes**—Senators Barney, Barron, Blair, Cavanagh, Hiner, Jacobs, McFarland, and Nevins—8.

**Nays**—Senators Barden, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Farr, Flint, Hathaway, Potter, Ryan, Schuette, Scott, Silverthorn, and Tate—16.

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### SENATE BILLS READY FOR ENGROSSMENT.

No. 56, S.,

A bill authorizing counties, cities, villages, and towns to make appropriations for celebrating the Centennial year of the nation's existence.

M. C. No. 11, S.,

Relating to the harbors of Manitowoc and Two Rivers.

Were ordered engrossed.

The amendments to,

No. 151, S.,

A bill to repeal section 15, of chapter 533, of the general laws of

1865, entitled, "an act to accept the grant of lands made to the State of Wisconsin, by act of Congress, approved June 25, 1864, to aid the construction of a military road from Wausau, Marathon county, to Lake Superior," and to amend section 10, of said chapter 533, by appropriating a sum of money therein named.

Were adopted, and said bill was referred to the Committee on Claims.

The amendments to,

M. C. No. 9, S.,

For an appropriation to improve the navigation of the St. Croix River,

Were adopted and said memorial ordered engrossed.

No. 23, S.,

A bill to amend chapter 289, of the general laws of 1873, entitled, "an act to authorize municipal corporations to aid in the construction of railroads,"

Was re-committed to the Committee on Railroads.

No. 54, S.,

A bill to codify and consolidate the laws relating to pay and mileage of members, pay of employes, and providing for newspapers, postage-stamps, stationery, and opening of legislature.

The amendments reported by the Committee on Legislative Expenditures, Nos. 1, 2, and 3, were adopted.

Senator Barron moved to amend 4th amendment by inserting "five" in lieu of "ten."

Which motion prevailed and the amendment as thus amended was adopted.

The question being on adopting amendment No. 5,

Senator R. E. Davis moved to lay on the table,

Which motion was lost, and the amendment was rejected.

The question being on adopting amendment No. 6,

Senator R. E. Davis moved to lay the bill on the table,

Which motion was lost, and the amendment was adopted.

Senator R. E. Davis moved to indefinitely postpone bill and pending amendments. Which motion was lost.

Amendment No. 7 was adopted.

Senator Barron offered the following amendment:

Add new sections as follows:

Section 16. There is hereby appropriated annually to the Chief Clerk of the Senate, out of any money in the State Treasury otherwise appropriated, for indexing the Senate Journal the sum of two hundred dollars. There is hereby appropriated annually to the Chief Clerk of the Assembly, out of any money in the State Treasury not otherwise appropriated, for indexing the Assembly Journal, the sum of two hundred and fifty dollars.

Section 17. The money hereby appropriated shall be paid by the State Treasurer, on the warrants of the Secretary of State, which warrants shall be issued when the duties and labor herein provided for shall have been respectively performed each year after the close of the session.

The amendment was adopted by the following vote:

Ayes—Senators Baker, Barden, Barron, Blair, Bryant, Campbell,

Cavanagh, H. N. Davis, Douglas, Downs, Flint, Hathaway, Hiner, Nevins, Potter, and Welch—16.

Nays—Senators Barney, R. E. Davis, Farr, Schuette, Tate, and Wilmot—6.

Senator Schuette offered the following amendment:

Amend by striking out in the 5th line of section 8, in the printed bill, two dollars, and place in lieu thereof, one dollar.

The amendment was rejected.

Said bill, as thus amended, was ordered engrossed for a third reading.

On motion of Senator Silverthorn,

Further consideration of

No. 154, S.,

A bill to waive the statutes of limitations and other technical defenses therein named,

Was postponed until Tuesday, the 15th inst.

On motion of Senator Wilmot,

The Senate adjourned.

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SATURDAY, FEBRUARY 12, 1876.

10 O'CLOCK, A. M.

The Senate met.

The President *pro tem.* presiding.

Prayer by the Rev. L. Y. Hays.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, Douglas, Farr, Flint, Hathaway, Hiner, Hudd, McFarland, Nevins, Potter, Reed, Ryan, Schuette, Scott, Tate, and Welch.

The President laid before the Senate the following communication from the Railroad Commissioners:

OFFICE OF RAILROAD COMMISSIONERS,

MADISON, Feb. 11, 1876.

Hon. C. D. PARKER,

*Lieutenant-Governor and President of the Senate:*

SIR:—I herewith transmit, for the use of the Senate, portions of the information called for by Resolution No. 20, S., requesting the Railroad Commissioners to furnish information relative to railroad revenues; also, communications from officers of the Chicago, Milwaukee & St. Paul Railway Company, touching the information requested by Resolution No. 19, S., and by Resolutions 24 and 27, A.

Very respectfully,

JOHN W. HOYT,  
*Railroad Commissioner.*

## OFFICE OF RAILROAD COMMISSIONERS.

MADISON, February 10, 1876.

*To the Honorable, Senate of the State of Wisconsin:*

We have the honor herewith to transmit, for the use of your honorable body, the inclosed copy of a communication from this office, made on the 29th ult., to the Chicago, Milwaukee & St. Paul Railway Company, in pursuance of Res. 19, and 21, S., and of Res. 24, and 27, A., together with the reply of S. S. Merrill, Esq., General Manager, and an inclosure therewith from the auditor of said company.

We also have the honor to communicate the fact, that, although every effort has been made to procure and furnish the information requested by Res. No. 20, S., relating to the average receipts per ton per mile, of the Chicago, Milwaukee & St. Paul Railway Company, from freights carried from Prairie du Chien and La Crosse, respectively, to Milwaukee during the five years last reported, we have at length found it impracticable to do so, without considerable delay; the reasons for which will appear from the accompanying letter of John C. Gault, Esq., Assistant General Manager.

In view of the facts stated in said letter to this board, we deem it proper to inquire whether it is desired by your honorable body that the Commissioners shall insist that the information in question be furnished.

"The average rates per ton per mile, on car-load lots of grain and flour, carried from the non-competing stations of Boscobel and West Salem to Milwaukee," are as follows:

Average rate from Boscobel to Milwaukee, 2 40-100 cents per ton per mile.

Average rate from West Salem to Milwaukee, 2 35-100 cents per ton per mile.

Very respectfully,

JOHN W. HOYT,  
JOSEPH. H. OSBORN,  
*Railroad Commissioners.*

*Communication from the Railway Commissioners to the Chicago, Milwaukee & St. Paul Railway Company.*

## OFFICE OF RAILROAD COMMISSIONERS,

MADISON, January 29, 1876.

*Chicago, Milwaukee & St. Paul R'y Co., Milwaukee:*

GENTLEMEN:—By resolutions of the legislature we are requested to furnish to that body, as early as practicable, information as follows:

1. The "average gross revenue per ton per mile in each year for the last five annual reports of the Chicago, Milwaukee & St. Paul Railway Company on all classes and kinds of cheap and dear freights carried from Prairie du Chien to Milwaukee, and also from La Crosse to Milwaukee."

2. The "average distance of wheat-center from the city of Milwaukee."

3. "Whether such wheat is (universally) loaded and unloaded at the cost of the owner."

4. The "average revenue per ton per mile on all classes of freight carried by said road from Minneapolis or from St. Paul, and destined for either Chicago or Milwaukee, or points beyond" \* \* \* by the Chicago, Milwaukee & St. Paul Railroad.

5. "The average distance (of lumber haul) or center of lumber consumption in the State of Wisconsin, from mills situated on railroads within this State, or from railway shipping ports on Lake Michigan; or in other words, to furnish \* \* \* an estimate of the average number of miles which each car-load of lumber used in this State is hauled by the railroads within the State."

It will be manifest that the greater part of the information demanded can only be furnished by your company. You are therefore respectfully requested to forward to the commissioners, as early as practicable, the fullest and most accurate information on the several points above mentioned, and, also, to give, in connection therewith, the particular facts, with their sources, on which your answer is based.

So far as the average haul of wheat and lumber are concerned, we only expect, of course, that you will give the earnings for your own line.

We further request that you will have the kindness to forward, per express, copies of your annual reports for the years 1869, 1871, and 1873.

On behalf of the board.

Very respectfully,

JOHN W. HOYT,  
*Railroad Commissioner.*

*Reply of S. S. Merrill, General Manager C. M. & St. Paul Railway.*

CHICAGO, MILWAUKEE, & ST. PAUL RAILWAY,

GENERAL MANAGER'S OFFICE,

MILWAUKEE, February 9, 1876.

*Hon. John W. Hoyt, Railroad Commissioner:*

DEAR SIR:—I send you herewith letter of our auditor, Mr. Whaling, who has charge of the statistics of this road, relative to the information requested in yours of the 29th ult.

To arrive at accurate answers to the questions, except No. 3, would require an immense amount of labor and considerable expense, but we will undertake it, if required. It would, however, be utterly impossible to furnish the information during the session of the present legislature, unless they continue in session much longer than usual.

In reference to question No. 3, we would say that wheat is not universally loaded and unloaded at the cost of the owner.

As previously advised, we sent you on the 31st ult., copies of our annual reports for 1869, 1871, and 1873.

Respecttully yours,

S. S. MERRILL,  
*General Manager.*

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CHICAGO, MILWAUKEE & ST. PAUL RAILWAY,  
AUDITING DEPARTMENT,  
MILWAUKEE, February 2, 1876.

*S. S. Merrill, Esq., General Manager.*

DEAR SIR:—I have read the communication from the Railroad Commissioners, asking for statistics. I am sorry to be obliged to say, that it would be almost impossible to give the information asked for.

In order to so, I should have to refer to every way-bill that has been made for the last five years. After careful investigation as to the detail of the work required to answer the questions asked, I think it would be very tedious and very expensive, and that it would take ten good men three months to accomplish it.

Yours, very respectfully,

JAMES P. WHALING.

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*Letter of Mr. Jno. C. Gault, Ass't General Manager C., M. & St. Paul Railway.*

FEBRUARY 8, 1876.

*To the Board of Railroad Commissioners:*

GENTLEMEN:—In regard to the information desired by Resolution No. 20, S., I would say that we would be very glad to furnish the average rate per ton per mile which we have received for the past five years from the two competing points, La Crosse and Prairie du Chien, on all kinds of freight destined to Milwaukee.

Unfortunately, our annual reports are not so made that the information can be derived from them.

The freight which we received from the public at both of these places is included in the tables of "through tonnage," and is mixed in with the tonnage coming from all points in Minnesota and Iowa, and passing through this State to Milwaukee and Chicago, and upon which no legal rates are established.

The through tonnage for the years 1870, 1871, and 1872, as shown in the reports, includes all tonnage destined both to Chicago and Milwaukee markets.

The Chicago freight from La Crosse and points beyond destined for Chicago, for these years, was sent *via* Watertown and the Chicago & Northwestern Railway, and the earnings on it cover only

one haul from La Crosse to Watertown. All Chicago freight for these years from Prairie du Chien and points beyond, was sent *via* Junesville.

The amount of freight sent to Chicago cannot be determined from the reports.

I presume it was not the intention of the resolution to make the rates on inter-State traffic a subject of inquiry.

We are very willing to furnish you the actual rate per ton per mile received by us on freight earnings from Prairie du Chien and La Crosse, proper, for the first year named. But to do so it will be necessary to send men to those stations, and take off the business from the station books.

This could be done, I have no doubt, within twenty days, and will be so done if you desire.

Yours respectfully,

JOHN C. GAULT,

*Assistant General Manager C., M. & St. P. R'y.*

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#### MEMORIALS PRESENTED AND REFERRED.

By Senator Bryant:

Mem. No. 110, S.,

Of M. E. Emerson, and 12 others, against the repeal of the "Potter-law."

To Committee on Railroads.

By Senator Bryant:

Mem. No. 111, S.,

Of George Weeks, L. G. Sheppard, E. M. Snow, W. A. Cripps, Stephen Manning, and 77 others, citizens of York, Dane county, against the repeal of the "Potter-law."

To Committee on Railroads.

By Senator Welch:

Mem. No. 112, S.,

Of citizens of Sauk county, for an appropriation to the State Historical Society.

To Committee on Claims.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to present you for signature, No. 101, A.,

An act to provide for the laying out and establishing a State road from Shiocton, in Outagamie county, to Clintonville, in Waupaca county.

No. 19, A.,

An act to provide for laying out a State road from the town of Berlin, in the county of Marathon, to the village of Medford, in the county of Taylor.

No. 168, A.,

An act to amend section 15, of chapter 145, of the private and local laws of 1871, entitled, an act to incorporate the village of Markesan, and to repeal chapter 222, of the private and local laws of 1868, entitled, an act to incorporate the village of Markesan, and acts amendatory thereof.

No. 26, A.,

An act providing for the laying out of building-lots without the limits of a village or city, and for making a map thereof, and for the recording of the same.

No. 25, A.,

An act to amend chapter 218, of laws of 1875, entitled, an act for fixing the terms of the Supreme Court, and regulating the practice therein, and concerning the justices thereof.

No. 3, A.,

An act to repeal chapter 342, of the laws of Wisconsin, for 1875, an act entitled, "an act to amend chapter 184, of the revised statutes, entitled, of inquests of the dead."

No. 21, A.,

An act to create a municipal court for the county of Chippewa.

M. C. No. 2, A.,

Memorial to Congress for an extension of mail route and increase of service thereon, from New Glarus, in Green county, Wisconsin, to Dayton. thence to Brooklyn Station, on the Madison Branch of the Chicago and Northwestern Railway.

And return you,

No. 7, S.,

An act to amend section 25, of chapter 119, of the revised statutes, entitled, "general provisions concerning courts of record, of the powers and duties of judges, and of attorneys and officers of court."

No. 14, S.,

An act to amend section 306, of the general laws of 1875, entitled, an act to transfer the Soldiers' Orphans' Home to the custody of the regents of the State University.

No. 10, S.,

An act relating to highways, and amendatory to section 1, of chapter 130, of the laws of 1867.

No. 6, S.,

An act to authorize town insurance companies to insure real and personal property in any town, and adjoining towns, in the same county where such insurance companies may be located, and to legalize such insurance heretofore made.

M. C. No. 6, S.,

For an appropriation to improve the navigation of the Chippewa River.



M. C. No. 4, S.,

For increased mail facilities for the northern portion of Sauk county.

M. C. No. 5, S.,

For an increase of mail service from Durand to Pepin, in Pepin county.

M. C. No. 7, S.,

For the establishment of a semi-weekly mail-route from Wausau to Colby, via Stettin, Marathon county, Wisconsin.

Said bills having been signed by the Speaker,

Said bills were signed by the President.

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### REPORTS OF COMMITTEES.

The Committee on Engrossed Bills, have examined and find correctly engrossed the following bills:

No. 130, S.,

A bill to repeal chapter 150, of the general laws of 1868, entitled, "an act relating to the collection of taxes," and all acts amendatory thereof.

No. 69, S.,

A bill in relation to the pontoon bridge across the Mississippi River at Prairie du Chien.

M. C. No. 11, S.,

Memorial to Congress relating to the harbors of Manitowoc and Two Rivers.

M. C. No. 9, S.,

Memorial to Congress for an appropriation to improve the navigation of the St. Croix River.

No. 56, S.,

A bill authorizing counties, cities villages, and towns to make appropriations celebrating the Centennial year of the nation's existence.

D. E. WELCH,

*Chairman.*

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The Committee on Enrolled Bills, have presented the following bills to his excellency the Governor, for signature:

No. 14, S.,

An act to amend section 1, of chapter 306, of the general laws of 1875, entitled, an act to transfer the Soldiers' Orphans' Home to the custody of the regents of the State University.

No. 7, S.,

An act to amend section 25, of chapter 119, of the revised statutes, entitled, "general provisions concerning courts of record, of the powers and duties of judges and of attorneys and officers of court.

No. 10, S.,

An act relating to highways and amendatory to section 1, of chapter 130, of the laws of 1867.

M. C. No. 4, S.,

Memorial to Congress for increased mail facilities for the northern portion of Sauk county.

M. C. No. 6, S.,

Memorial to Congress for an appropriation for the improvement of the navigation of the Chippewa River.

M. C. No. 7, S.,

Memorial to Congress for the establishment of a semi-weekly mail-route from Wausau to Colby, *via* Stettin, Marathon, and Wein.

No. 6, S.,

An act to authorize town insurance companies to insure real and personal property in any towns adjoining towns in the same county, where such insurance companies may be located, and to legalize insurance heretofore made.

R. J. FLINT,  
*Chairman.*

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The Committee on Education, to which was referred,

No. 57, A.,

A bill to allow compensation to clerks of the school-districts of the State.

No. 148, A.,

A bill to amend section 1, of chapter 168, of the general laws of 1871, and to regulate the teacher's school-month.

Has had the same under consideration, and instructed me to report them back with the recommendation that they be concurred in.

S. L. NEVINS,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,

Mem. No. 29, S.,

Petition of Francis Massing, in reference a catalogue for the State library.

Has had the same under consideration and instructed me to report the same back with the recommendation that no further action be had thereon.

H. D. BARRON,  
*Chairman.*

The recommendation of the committee was adopted.

The Committee on the Judiciary, to which was referred,  
No. 105, A.,

A bill to amend section 205, chapter 120, revised statutes, entitled, an act of courts held by justices of the peace.

No. 171, S.,

A bill to repeal section 33, of chapter 121, revised statutes 1858, entitled, "of jurisdiction."

Has had the same under consideration, and instructed me to report them back with the recommendation that they be indefinitely postponed.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,  
Mem. No. 45, S.,

Petition of Peter Anderson and other citizens of Burnett county, asking that John A Jacobson, may have a certain ferry-right.

Has had the same under consideration and instructed me to report it back with a recommendation that it be referred to the general file, to accompany the bill on the subject to which said memorial relates.

H. D. BARRON,  
*Chairman.*

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So referred.

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The Committee on the Judiciary to which was referred,  
Res. No. 25, S.,

Resolution relating to an increase of tax levied on suits,

Has had the same under consideration, and instruct me that the changes therein proposed, is by the committee considered inexpedient.

Jt. Res. No. 13, S.,

Joint resolution ratifying proposed constitutional amendment, requiring the legislature to establish but one form of town and county government,

Has had the same under consideration, and instruct me to report it back with recommendation that it be adopted.

HENRY D. BARRON,  
*Chairman.*

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The Committee on Incorporations, to which was referred,  
No. 182, S.,

A bill for the organization of corporations for benevolent purposes.

No. 190, A.,

A bill to amend section 2, of title 3, of chapter 253, of the private and local laws of 1868, entitled, an act to revise and amend chapter 176, of the private and local laws of 1857, entitled, an act to amend an act entitled, an act to incorporate the city of Beloit, approved March 31, 1856.

No. 199, S.,

A bill to amend chapter 228, of the laws of 1875, entitled, "an act to amend chapter 275, of the private and local laws of 1870, entitled, 'an act to incorporate the city of Manitowoc.'"

No. 273, A.,

A bill to amend chapter 187, of the general laws 1875, entitled, an act to amend chapter 59, of the general laws of 1873, entitled, an act to revise the charter of the city of Prairie du Chien.

No. 71, A.,

A bill relating to the charter of the city of Sheboygan, and to enable the city to construct works for the supply of water from an artesian well; to manage and regulate the same; to dispose of water from said well; to appropriate the proceeds of such sales, and to improve the public parks.

Have had the same under consideration, and instructed me to report same back with a recommendation that they do pass.

THOMAS B. SCOTT,  
*Chairman.*

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The select committee consisting of the Senator from the 18th district, to whom was referred,

No. 207, S.,

A bill to amend chapter 59, of the private and local laws of 1868, entitled, "an act to incorporate the city of Fond du Lac," approved February 14, 1868, and limiting the bringing of actions against the city.

Has had the same under consideration, and report said bill back with the recommendation that it be passed.

W. H. HINER.

On motion of Senator Hiner,

The rules were suspended, and said bill was read a third time and passed.

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#### SENATE RESOLUTIONS CONSIDERED.

Res. No. 37, S.,

Requesting Railroad Commissioners to furnish certain information,

Introduced on Thursday by Senator Potter.

Senator Flint was called to the chair.

The question being on the adoption of the resolution, Senator Baker offered the following amendment:

Amend by adding the following:

*Resolved*, That the Railway Commissioners furnish the Senate with the local tariffs of the several railroads in the State of Minnesota.

Senator Barron offered the following amendment to the amendment submitted by Senator Baker:

Amend the amendment by adding thereto the following:

"And that said commissioners ascertain whether said Minnesota rates have been modified or changed by the legislature, and if so to what extent, whether the people on the line of any railroads in said State of Minnesota have by public meetings generally and largely attended, asked any such railroad company to abandon the rates of 1874, and return to the rates established previous to 1874, and whether any railroad company or companies in the said State of Minnesota, did abandon said legal rates of 1874, at such public request and continue so to do without complaint or molestation from any one residing on the line of or doing business with any such road or roads, and whether any other railroad, especially the Winona and St. Peter Railroad ever complied with the rates fixed by the act of 1874, and whether any complaint was ever made to the courts against said company, because of such failure."

The amendment to the amendment was adopted, and said amendment as thus amended was agreed to, and the resolution as thus amended, was then adopted.

Res. No. 38, S.,

Requesting Railroad Commissioners to furnish certain information.

Introduced on Thursday by Senator Potter.

Senator Barron offered the following amendment:

And that said commissioners report to the Senate the cause of such advance in said stocks, if there has been any advance.

The ayes and noes being called for on the adoption of the amendment,

It was lost by the following vote:

Ayes—Senators Baker, Barron, Blair, H. N. Davis, Farr, Hiner, Hudd, Nevins, Schuette, and Tate—10.

Nays—Senators Barden, Barney, Campbell, Cavanagh, Douglas, Flint, Hathaway, McFarland, Potter, Ryan, Scott, Silverthorn, and Welch—13.

Senator Silverthorn offered the following amendment to the resolution:

Strike out all after the word "resolved," and insert the following:

That the Railroad Commissioners, be and they are hereby requested to furnish to the Senate as complete a statement as possible of the market quotations for the past three years, of the stock, both common and preferred, of the several railroad companies having railroads within this State.

The amendment was agreed to, and said resolution, as thus amended, was adopted.

Res. No. 25, S.,  
Relating to an increase of tax levied on suits.  
Introduced on February 2, by Senator Hiner,  
Was referred to select committee of one, consisting of Senator  
Hiner.

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#### ASSEMBLY BILLS READY FOR A THIRD READING.

No. 61, A.,  
A bill for the division of the counties of Clark and Marathon,  
and the erection of the county of Langlade.  
On motion of Senator Douglas,  
Further consideration of the bill was postponed until Thursday  
next.

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#### SENATE BILLS READY FOR A THIRD READING.

No. 56, S.,  
A bill authorizing counties, cities, villages, and towns to make  
appropriations for celebrating the Centennial year of the nation's  
existence.

No. 66, S.,  
A bill to authorize N. O. Murray and L. S. Lenhart to keep and  
maintain a ferry across Lake Pepin from the village of Stockholm,  
Wisconsin, to Lake City, Minnesota.

No. 130, S.,  
A bill to repeal chapter 150 of the general laws of 1868, entitled,  
"an act relating to the collection of taxes," and all acts amendatory  
thereof.

The title to said bill,

No. 130, S.,

Was amended so as to read as follows:

A bill relating to the collection of taxes, and amendatory of chap-  
ter 301, of the laws of Wisconsin of 1873.

M. C. No. 9, S.,

For an appropriation to improve the navigation of the St. Croix  
River.

M. C. No. 11, S.,

Relating to the harbors of Manitowoc and Two Rivers.

Were severally read a third time and passed.

No. 73, S.,

A bill to authorize John A. Jacobson to erect and maintain a dam  
in Burnett county.

Was laid aside until Wednesday next.

No. 69, S.,

A bill in relation to the pontoon bridge across the Mississippi  
River at Prairie du Chien.

Was laid aside until Tuesday next.

## SENATE BILLS READY FOR ENGROSSMENT.

No. 182, S.,

A bill for the organization of corporations for benevolent purposes.

No. 190, S.,

A bill to amend section 2, of title 3, of chapter 253, of the private and local laws of 1868, entitled, an act to revise and amend chapter 176, of the private and local laws of 1857, entitled, an act to amend an act entitled, an act to incorporate the city of Beloit, approved March 31, 1856.

No. 199, S.,

A bill to amend chapter 228, of the laws of 1875, entitled, "an act to amend chapter 275, of the private and local laws of 1870, entitled, an act to incorporate the city of Manitowoc."

Jt. Res. No. 13, S.,

Ratifying proposed constitutional amendments, requiring the legislature to establish but one system of town and county government.

Were ordered engrossed.

No. 171, S.,

A bill to repeal section 33, of chapter 121, revised statutes 1858, entitled, "of jurisdiction of justices in criminal cases."

Was indefinitely postponed.

No. 112, S.,

A bill to authorize the county of Burnett to build and maintain a free bridge across the St. Croix River, in town thirty-eight, (38,) north of range twenty (20) west.

Was laid aside until Tuesday next.

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ASSEMBLY BILLS ON THEIR THIRD READING.

No. 4, A.,

A bill to provide for taking depositions in county courts in probate matters.

No. 39, A.,

A bill to repeal chapter 153, of the general laws of 1867, entitled an act to amend section 78, of chapter 15, of the revised statutes, entitled of towns and town officers, and the powers and duties of towns.

No. 63, A.,

A bill to legalize the official acts of Robert Goodfellow, a notary public for Brown county.

No. 71, A.,

A bill relating to the charter of the city of Sheboygan, and to enable the city of Sheboygan to construct works for the supply of water from an artesian well ; to manage and regulate the same ; to dispose of water from said well ; to appropriate the proceeds of such sales, and to improve the public parks.

No. 90, A.,

A bill to authorize the city of Janesville to issue bonds.

No. 110, A.,

A bill to legalize the acts of Wm. H. Harvey, notary public in the county of Kewaunee.

No. 148, A.,

A bill to amend section 1, chapter 168, of the general laws of 1871, and to regulate the teachers' school-month.

No. 273, A.,

A bill to amend chapter 187, general laws of 1875, entitled, an act to amend chapter 59, general laws 1873, entitled, an act to revise the charter of the city of Prairie du Chien.

Were severally ordered to a third reading.

The senate refused to order to a third reading,

No. 57, A.,

A bill to allow compensation to clerks of the school-districts of the State.

No. 105, A.,

A bill to amend section 205, of chapter 120, of the revised statutes, entitled, an act of courts held by justices of the peace.

Was indefinitely postponed.

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#### LEAVES OF ABSENCE.

Leave of absence was granted to Senator Wilmot until Tuesday morning.

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On motion of Senator Schuette,

The Senate adjourned until 7:30 p. m., Monday.



MONDAY, FEBRUARY 14, 1876

7 $\frac{1}{4}$  O'CLOCK, P. M.

The Senate met.

The President *pro tem*, presiding.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Eastman, Farr, Flint, Hathaway, Hudd, Mitchell, Nevins, Potter, Reed, Rounds, Schuette, Silverthorn, Tate, and Treat.

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#### MEMORIALS PRESENTED AND REFERRED.

By Senator Barron:

Mem. No. 113, S.,

Remonstrance of John Quaderer, A. Strong, Nels Anderson, and 29 others, citizens of the county of Barron, against the annexation of certain territory to said county.

To Committee on Town and County Organization.

By Senator Barney:

Mem. No. 114, S.,

Remonstrance of R. P. Smith and 229 others, citizens of Dodge county, Wisconsin, against the repeal or material alteration or modification of the Potter-law.

To Committee on Railroads.

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#### COMMUNICATIONS.

The President laid before the Senate the following communication from the secretary of the State Agricultural Convention:

STATE OF WISCONSIN,  
OFFICE OF SECRETARY OF STATE AGRICULTURAL SOCIETY,  
MADISON, February 14, 1876.

HON. CHARLES D. PARKER,  
*Lieutenant-Governor and President of the Senate:*

MY DEAR SIR:—By request of the State Agricultural Convention, held in the rooms of the State Agricultural Society, February 8 to 11, 1876, I herewith present you a copy of resolutions adopted and ask that they be spread upon the journal of the Senate.

Very respectfully,

W. W. FIELD,  
*Secretary.*

WHEREAS, In the administration of government there should be a settled and permanent policy as to all great measures, and they should be wisely maintained and firmly enforced for periods sufficiently long to fully test their efficacy and bearing upon human society, unchanged by either caprice, folly, or as a temporary expedient of the hour; and,

WHEREAS, There is greater danger and loss to communities from weakness and vascillation in public measures than would probably arise from their rigid enforcement, even in cases where defects are palpable; and,

WHEREAS, After two years of expensive litigation in the highest courts of the country, to vindicate the constitutional rights of the State to control its incorporated companies, it is unwise and wrong, in the moment of victory, to abandon the ground thus gained; to surrender the fruits of the struggle, and return to the same condition of indifference to extortion and abuse as at the outset, and that no cause or emergency has arisen to warrant any such betrayal of the rights and interests of the industrial and labor classes of the State; therefore,

*Resolved*, That we as agriculturists do hereby protest against the repeal of the law known as the "Potter-law," but would recommend a modification of its provisions, if deemed unjust and oppressive to the railroads of the State.

*Resolved*, That we recommend the continuance of a railroad commission, with full powers to ascertain the real investments of capital in the several roads; their expenses and earnings, that the legislature may know what constitute "fair and reasonable rates." And we believe it to be the duty of the Attorney-General, to defend any complaint at the expense of the State, in any action brought by any citizen of the State for any violation of the provisions of said "Potter-law," and that the cost thereof be paid from the public treasury.

*Resolved*, That a copy of the foregoing preamble and resolutions, be forwarded by the secretary of this convention to the presiding officer of the Senate and Assembly, with a request that it be spread upon the journal of each house.

Ordered spread upon the journal.

## RESOLUTIONS INTRODUCED.

By Senator Douglas:

Res. No. 42, S.,

Requesting Secretary of State to furnish information relating to West Wisconsin Railway Company.

*Resolved*, That the Secretary of State is requested to furnish the Senate with a certified copy of so much of the affidavit made September 26, 1873, which is printed on page 112, of the report of Secretary of State for 1873, as relates to a detailed statement of the cost of right-of-way, buildings, bridges, grading, iron, engines, and cars, and other items, and the total cost of the property of the West Wisconsin Railway, from Elroy to Hudson, Wisconsin.

The resolution lies over.

By Senator Welch:

Res. No. 43, S.,

Requesting the Railroad Committee to report whether in their judgment the "Potter-law" rates are liberal and remunerative, or otherwise, and also directing Railroad Commissioners to report to the next legislature whether the State has been deprived of any of its lawful tax, and upon other matters.

WHEREAS, It appears from the ninth annual report of the Milwaukee & St. Paul Railway, that there was forwarded during that year from Prairie du Chien, from La Crosse, and from Winona Junction, to or through the city of Milwaukee the following commodities, to wit:

Four million and ninety-eight thousand, eight hundred and twenty-nine bushels of wheat; 3,120 bushels of rye; 190,731 bushels of barley; 50,539 bushels of oats; 4,995 bushels of corn, 78,080 bushels of potatoes; 966 bushels of beans; 6,141 bushels of grass-seed; 385,977 barrels of flour; 226 barrels of pork and beef; 6,791,290 pounds of dressed hogs; 2,788,140 pounds of hides; 280,820 pounds of eggs; 735,580 pounds of butter; 119,480 pounds of lard; 147,220 pounds of wool; 142,470 pounds of tallow; 6,344,943 pounds of merchandise; 24,320 pounds of hops; 6,692 horned cattle; 13,162 live hogs; 6,732,700 pounds of mill-feed; 9,485,350 pounds of miscellaneous: making the total tonnage so as aforesaid forwarded, according to said report, of through eastward bound freight, to equal 372,612 tons; and the gross revenue earned for such forwarding was \$929,652.90, being less than an average of \$2.50 per ton, or a fraction less than 7½ cents for each 60 pounds of all kinds of freight; and being about 13 mills per ton per mile; in which sum as aforesaid was included the expense of terminal charges at Milwaukee, on all of said freights except grain, which grain was compelled to pay elevator charges; and,

WHEREAS, By the printed reports issued to the stockholders and directors of said company, which were from time to time deposited with the Secretary of State, a similar state of facts is shown to have existed for the said business of the said railway company for the preceding year, and for each subsequent year, and it appears by the said ninth annual report that out of the earnings of the com-

pany for that year, two dividends were paid on preferred stock in money; and,

WHEREAS, It is a matter of public notoriety that the West Wisconsin Railway, and the Milwaukee and St. Paul Railway, under contracts with fast freight lines and otherwise have forwarded flour and other products from Minneapolis and St. Paul to Chicago, at rates yielding from 7 4-10 mills to 10 mills per ton per mile, including, except upon bulk grain, terminal charges and expenses; and,

WHEREAS, It is estimated, upon the basis of an average distance of 100 miles, that the grain of Wisconsin which is marketed in the city of Milwaukee, now pays under the Potter-law for forwarding by rail to that city an average of 30 mills per ton per mile, besides liberal tolls for terminal charges at the railroad company's elevators in Milwaukee; therefore,

*Resolved*, That the Railroad Committee of the Senate, to whom was referred that portion of the message of his excellency, the Governor, in regard to repealing the Potter-law, be requested to report specifically whether, in their judgment, the Potter-law rate on grain is liberal and remunerative to the railways, or otherwise.

*Resolved, further*, That the Railroad Commissioners are requested to furnish the Senate with an abstract of the commodities forwarded to or through Milwaukee, from Prairie du Chien, from La Crosse, and from Winona Junction for each of the years 1872, 1873, and 1874, together with the average gross revenue each year per ton; and also the number of mills per ton, per mile in each year.

*Resolved, further*, That the Railroad Commissioners are requested to prepare for the next legislature, from the aforesaid abstract of commodities, and from the books of the railway company, a statement showing the average rate received per ton from Prairie du Chien, from La Crosse, from Winona Junction, and all other competing points, to Milwaukee, on each commodity named in said abstract for the business of each of the years from 1871 to 1875, inclusive.

And the Railroad Commissioners are also requested to report to the next legislature, whether, in their opinion, there exists probable ground for a belief that there has been an erroneous presentation and adjustment of the account of said gross earnings on freight so as aforesaid forwarded, whereby the State of Wisconsin has been deprived, in any of the aforesaid years, of any part of its lawful tax on the same.

The resolution lies over.

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## REPORTS OF COMMITTEES.

The Joint Committee on Claims, to which was referred,  
Mem. No. 26, S.,  
Memorial of Rosella M. Bowman,  
Beg leave to report:

Your committee find that the memorialist, Rosella M. Bowman, in the year 1861, was the widow of Samuel H. Donnell, deceased; and at that date the said Mr. Donnell held a claim for services as

architect against the State of Wisconsin amounting to \$3,900, which amount did not become due until the completion of the State Capitol.

The State officers offered to pay the said Rosella M. Donnell, the widow of the said Mr. Donnell, the sum of \$2,500 in *full* payment for the \$3,900, which would have become due on the completion of the State Capitol, which sum of \$2,500 was accepted in full payment for said claim, as the *time* of its completion was then very uncertain.

Your committee being of the opinion that the claim was paid to the satisfaction of the claimant in the year 1861, see no reason why this subject should *now* be re-opened, and believe that the said Rosella M. Bowman has no *just* or *equitable* claim against the State,

And have instructed me to report the same back to the Senate, with the recommendation that the further consideration of the memorial be indefinitely postponed.

FRANCIS CAMPBELL,  
*Chairman.*

The recommendation of the committee was adopted.

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The Committee on Education, to which were referred,  
No. 183, S.,

A bill to authorize the Commissioners of School and University Lands to loan a portion of the trust funds of the State to the county of Racine.

No. 185, S.,

A bill to authorize the Commissioners of School and University Lands to loan a portion of the trust funds of the State to the county of Wood.

Has had the same under consideration, and instructed me to report them back with the recommendation that they do pass.

S. L. NEVINS,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,  
No. 6, A.,

A bill to compel assessors and county clerks to make certificates prescribed by the provisions of chapter 38, laws of 1874.

No. 31, A.,

A bill to compel clerks of every town, city, and village, and the county clerk of every county in this State, to carry out the provisions of chapter 150, of the general laws of 1872, an act entitled, "an act to provide for the collection of statistics from towns, villages, and cities, showing amount of tax raised therein."

No. 51, A.,

A bill to legalize the laying out of a State road from Chippewa Falls, in Chippewa county, to Augusta, in the town of Bridge Creek, in Eau Claire county.

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No. 131, A.,

A bill to extend the time for proving and filing claims against the Wisconsin Railroad Farm-Mortgage Land Company.

Has had the same under consideration, and instructed me to report them back with the recommendation that they be concurred in.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary to which was referred,  
No. 127, S.

A bill to amend chapter 171, of the private and local laws 1868, entitled, an act to amend chapter 30, of private and local laws of 1853, entitled, an act to incorporate the Wisconsin River Improvement Company, and to amend chapter 171, of the private and local laws of 1866, amendatory thereof.

Has had the same under consideration and instructed me to report it back with the recommendation that it be committed to the Committee on Incorporations.

H. D. BARRON,  
*Chairman.*

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So ordered.

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The Committee on the Judiciary, to which was referred,  
No. 263, S.,

A bill to regulate the times of holding the circuit court in Dane county.

Has had the same under consideration, and instructed me to report it back with the recommendation that it pass.

H. D. BARRON,  
*Chairman.*

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On motion of Senator R. E. Davis,  
The rules were suspended, and the bill passed.

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The Committee on Engrossed bills have examined and find correctly engrossed the following bills:

No. 190, S.,

A bill to amend section 2, of title 3, of chapter 253, of the private and local laws of 1868, entitled, "an act to revise and amend chapter 176, of the private and local laws of 1857, entitled, 'an act to amend an act entitled, an act to incorporate the city of Beloit, approved March 31, 1856.'"

No. 148, S.,

A bill to confer on certain associations of the citizens of the State of Wisconsin, the powers and immunities of corporations and bodies politic in law.

Jt. Res. No. 13, S.,

Joint resolution, ratifying proposed constitutional amendments, requiring the legislature to establish but one system of town and county government.

No. 54, S.,

A bill to codify and consolidate the laws relating to pay and mileage of members, pay of employees, and providing for newspapers, postage-stamps, stationery, and opening of legislature.

No. 182, S.,

A bill for the organization of corporations for benevolent purposes.

No. 199, S.,

A bill to amend chapter 228, of the laws of 1875, entitled, an act to amend chapter 275, of the private and local laws of 1870, entitled, an act to incorporate the city of Manitowoc.

R. E. DAVIS,

*Acting Chairman.*

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### EXECUTIVE COMMUNICATION.

STATE OF WISCONSIN,

EXECUTIVE DEPARTMENT,

MADISON, February 14, 1876.

*To the honorable, the Senate:*

Pursuant to the provisions of chapter 273, of the laws of 1874, as amended by chapter 39, of the laws of 1875, I hereby nominate and appoint, subject to the approval of your honorable body, J. T. Kingston a railroad commissioner for the term of three years.

H. LUDINGTON.

*Governor.*

The message was referred to the Committee on Railroads.

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### ASSEMBLY BILLS READY FOR A THIRD READING.

No. 4, A.,

A bill to provide for taking depositions in county courts, in probate matters.

No. 39, A.,

A bill to repeal chapter 153, of the general laws of 1867, entitled, "an act to amend section 78, of chapter 15, of the revised statutes, entitled, 'of towns and town officers, powers and duties of towns.'"

No. 63, A.,

A bill to legalize the official acts of Robert Goodfellow, a notary public for Brown county.

No. 71, A.,

A bill relating to the charter of the city of Sheboygan, and to enable the city of Sheboygan to construct works for the supply of water from an artesian well; to manage and regulate the same; to

dispose of water from said well; to appropriate the proceeds of such sales, and to improve the public parks.

No. 90, A.,

A bill to authorize the city of Janesville, to issue bonds.

No. 110, A.,

A bill to legalize the acts of Wm. H. Harvey, notary public in the county of Kewaunee.

No. 148, A.,

A bill to amend section 1, chapter 168, of the general laws of 1871, and to regulate the teachers' school-month.

No. 273, A.,

A bill to amend chapter 187, general laws of 1875, entitled, an act to amend chapter 59, general laws of 1873, entitled, an act to revise the charter of the city of Prairie du Chien.

Were severally read a third time and concurred in.

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#### SENATE BILLS READY FOR A THIRD READING.

No. 182, S.,

A bill for the organization of corporations for benevolent purposes.

No. 190, S.,

A bill to amend section 2, of title 3, of chapter 253, of the private and local laws of 1868, entitled, an act to revise and amend chapter 176, of the private and local laws of 1857, entitled, an act to amend an act entitled, an act to incorporate the city of Beloit, approved March 31, 1856.

No. 199, S.,

A bill to amend chapter 228, of the laws of 1875, entitled, "an act to amend chapter 275, of the private and local laws of 1870, entitled, 'an act to incorporate the city of Manitowoc.' "

No. 148, S.,

A bill to confer on certain associations of the citizens of the State of Wisconsin, the powers and immunities of corporations and bodies corporate in law.

Were severally read a third time and passed.

Jt. Res. No. 13, S.,

Joint resolution ratifying proposed constitutional amendment, requiring the legislature to establish but one form of town and county government.

Was read a third time and adopted by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Farr, Flint, Hathaway, Hiner, Hudd, Mitchell, Nevins, Potter, Reed, Rounds, Schuette, Silverthorn, Tate, and Treat—25.

Nays—0.

No. 54, S.,

A bill to codify and consolidate the laws relating to pay and mileage of members, pay of employees, and providing for newspapers, postage stamps, stationery, and opening of legislature,

Was referred to Committee on Claims.



## SENATE BILLS ON THEIR ENGROSSMENT.

No. 183, S.,

A bill to authorize the Commissioners of School and University Lands to loan a portion of the trust funds of the State to the county of Racine.

No. 185, S.,

A bill to authorize the Commissioners of School and University Lands to loan a portion of the trust funds of the State to the county of Wood.

Were severally ordered engrossed for a third reading.

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## ASSEMBLY BILLS ON THEIR THIRD READING.

No. 6, A.,

A bill to compel assessors and county clerks to make certificates prescribed by the provisions of chapter 38, laws of 1874.

No. 31, A.,

A bill to compel clerks of every town, city, and village, and the county clerk of every county in this State, to carry out the provisions of chapter 150, of the general laws of 1872, an act entitled, "an act to provide for the collection of statistics from towns, villages, and cities, showing amount of tax raised therein."

No 51, A.,

A bill to legalize the laying out of a State road from Chippewa Falls, in Chippewa county, to Augusta, in the town of Bridge Creek, in Eau Claire county.

No. 131, A.,

A bill to extend the time for proving and filing claims against the Wisconsin Railroad Farm-Mortgage Land Company.

Were severally ordered to a third reading.

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## LEAVES OF ABSENCE.

Leave of absence was granted

To Senator Ryan until Wednesday morning,

To Senator Welch indefinitely.

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On motion of Senator Campbell,  
The Senate adjourned.

TUESDAY, FEBRUARY 15, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

Prayer by the Rev. Mr. Bright.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Nevins, Potter, Reed, Rounds, Schuette, Scott, Silverthorn, Tate, Treat, and Wilmot.

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COMMUNICATIONS.

The President laid before the Senate the following communication from the Railroad Commissioners:

OFFICE OF RAILROAD COMMISSIONERS,  
*MADISON, February 14, 1876.*

HON. C. D. PARKER,  
*Lieut.-Governor and President of the Senate:*

SIR:—I have the honor to transmit, for the use of the honorable Senate, the enclosed communication, in reply to resolution No. 37, S., and respectfully request that the same be presented.

Very respectfully,

JOHN W. HOYT,  
*Railroad Commissioner.*

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OFFICE OF RAILROAD COMMISSIONERS,  
*MADISON, February 14, 1876.*

*To the honorable, the Senate of the State of Wisconsin:*

In reply to Res. No. 37, S., I have the honor, on behalf of the

Board of Railroad Commissioners, to submit the following statements:

The rates per 100 lbs., in car-loads, of wheat, fixed by the Railroad Commissioners of the State of Minnesota, "under the law of 1874," and chargeable between the points named in said Res. No. 37, were as follows:

|                                    |              |
|------------------------------------|--------------|
| St. Paul to Duluth, 155 miles..... | 16.80 cents. |
| Mankato to Winona, 131 miles.....  | 14.86 cents. |
| New Ulm to Winona, 170 miles.....  | 17.20 cents. |

The present legal rates in Wisconsin for the distances above named are—

|                    |           |
|--------------------|-----------|
| For 131 miles..... | 18 cents. |
| For 155 miles..... | 20 cents. |
| For 170 miles..... | 21 cents. |

The request for information concerning "the difference in elevator charges permitted to the railroads in Minnesota, and the rates charged by the railroad elevators in the city of Milwaukee," has received attention, and the information will be furnished so soon as received; also, the desired information as to the local tariffs now in force on the several railroads in the State of Minnesota.

The rates fixed by the Railroad Commissioners of Minnesota, under the laws of 1874, above referred to, have been abolished by an act of the legislature, and the several railroad companies now fix their own rates, subject only in this regard, to the provision of law that "no railroad company shall charge, demand, or receive, from any person company or corporation, an unreasonable price for the transportation of persons or property, or for the loading or storing of any freight, or for the use of its cars, or for any privilege or for service afforded by it in the transaction of its business as a railroad corporation."

The remaining inquiries embraced in resolution No. 37, S., have also received due attention, but from their nature, cannot be answered without considerable delay.

Very respectfully,

JOHN W. HOYT,  
*Railroad Commissioner.*

The communication was ordered spread on the journal.

The President laid before the Senate the following communication from the Railroad Commissioners:

OFFICE OF RAILROAD COMMISSIONERS,  
*MADISON, Feb. 14, 1876.*

Hon. C. D. PARKER,  
*Lieut.-Governor and President of the Senate:*

SIR:—I have the honor to transmit herewith a communication

for the use of the honorable Senate, in answer to resolution No. 38, S., and respectfully request that the same be presented.

Very respectfully,

JOHN W. HOYT,  
*Railroad Commissioner.*

OFFICE OF RAILROAD COMMISSIONERS,  
*MADISON, February 14, 1876.*

*To the honorable Senate of the State of Wisconsin:*

In reply to resolution No. 38, S., I have the honor, on behalf of the Board of Railroad Commissioners, to submit the accompanying tabular statements, to-wit:

Table No. 1, showing the monthly market quotations of the common and preferred stocks of Wisconsin railroad companies for the years 1872, 1873, 1874, and 1875; and

Table No. 2, giving the daily quotations of the common stocks of the same railway companies for the period commencing January, 1, and ending February 8, 1876.

Very respectfully,

JOHN W. HOYT,  
*Railroad Commissioner.*

The communication was ordered spread on the journal.

TABLE No. 1.—Market quotations, for the last four years, of the stock, both common and preferred, of the railroad companies having railroads within this State.

QUOTATIONS OF 1872.

| R. R. COMPANY.         | JAN.  |      | FEB.  |      | MARCH. |      | APRIL. |      | MAY.  |      | JUNE. |      | JULY. |      | AUGUST. |      | SEPT. |      | OCT.  |      | NOV.  |      | DEC.  |      |
|------------------------|-------|------|-------|------|--------|------|--------|------|-------|------|-------|------|-------|------|---------|------|-------|------|-------|------|-------|------|-------|------|
|                        | High. | Low. | High. | Low. | High.  | Low. | High.  | Low. | High. | Low. | High. | Low. | High. | Low. | High.   | Low. | High. | Low. | High. | Low. | High. | Low. | High. | Low. |
| C. & N. W. (common)    | 75½   | 66¾  | 77½   | 73½  | 84     | 76½  | 85½    | 78½  | 80½   | 72   | 75½   | 70½  | 76½   | 72½  | 75½     | 72½  | 74½   | 70   | 83¾   | 68½  | 73½   | 70   | 80    | 81½  |
| C. & N. W. (prefer'd)  | 94¾   | 90½  | 92¾   | 90   | 96     | 90½  | 97½    | 92½  | 94¾   | 92¾  | 94¾   | 90½  | 91½   | 90½  | 91½     | 89¾  | 90½   | 84   | 90    | 84¾  | 102   | 83¾  | 92¾   | 85¾  |
| M. & St. P. (common)   | 59½   | 53½  | 57½   | 55   | 64     | 56½  | 64½    | 59½  | 61½   | 57   | 58    | 52   | 57½   | 53   | 56½     | 53½  | 56    | 53½  | 58½   | 55½  | 57    | 51   | 55½   | 53   |
| M. & St. P. (prefer'd) | 83    | 74¾  | 78½   | 74½  | 82½    | 77½  | 82½    | 79½  | 81    | 78   | 78¾   | 77½  | 79¾   | 78   | 80½     | 74¾  | 76½   | 74   | 77½   | 74   | 76¾   | 72½  | 77½   | 75   |

QUOTATIONS OF 1873.

| R. R. COMPANY.         | JAN.  |      | FEB.  |      | MARCH. |      | APRIL. |      | MAY.  |      | JUNE. |      | JULY. |      | AUGUST. |      | SEPT. |      | OCT.  |      | NOV.  |      | DEC.  |      |
|------------------------|-------|------|-------|------|--------|------|--------|------|-------|------|-------|------|-------|------|---------|------|-------|------|-------|------|-------|------|-------|------|
|                        | High. | Low. | High. | Low. | High.  | Low. | High.  | Low. | High. | Low. | High. | Low. | High. | Low. | High.   | Low. | High. | Low. | High. | Low. | High. | Low. | High. | Low. |
| C. & N. W. (common)    | 84    | 80½  | 85    | 80   | 82½    | 80   | 82½    | 76   | 81    | 77½  | 74    | 70½  | 71½   | 68½  | 69½     | 64   | 61¾   | 40   | 45½   | 81½  | 50    | 31½  | 57½   | 47   |
| C. & N. W. (prefer'd)  | 92    | 87¾  | 94    | 89   | 89¾    | 87½  | 88     | 83   | 87½   | 84½  | 85    | 81   | 84    | 80½  | 83½     | 82   | 81¼   | 64   | 71    | 54   | 70    | 53   | 73½   | 37½  |
| M. & St. P. (common)   | 54½   | 51½  | 54½   | 51½  | 60½    | 52   | 62½    | 53   | 58½   | 53½  | 55    | 49½  | 53½   | 50½  | 53¾     | 50¾  | 51    | 30   | 35½   | 21½  | 36¾   | 21½  | 42½   | 34½  |
| M. & St. S. (prefer'd) | 79½   | 76½  | 79½   | 73½  | 76½    | 73   | 75½    | 68¾  | 74    | 71½  | 73½   | 70¾  | 74¾   | 72½  | 74      | 70   | 70    | 56   | 60    | 44   | 60    | 43¾  | 66½   | 58½  |

TABLE No. 1.—Market quotations, &amp;c.—Continued.

QUOTATIONS OF 1874.

| R. R. COMPANY.          | JAN.             |                  | FEB.             |                  | MARCH.           |                  | APRIL.           |                  | MAY.             |                  | JUNE.            |                  | JULY.            |                  | AUGUST.          |                  | SEPT.            |                  | OCT.             |                  | NOV.             |                  | DEC.             |                  |
|-------------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
|                         | High.            | Low.             | High.            | Low.             | High.            | Low.             | High.            | Low.             | High.            | Low.             | High.            | Low.             | High.            | Low.             | High.            | Low.             | High.            | Low.             | High.            | Low.             | High.            | Low.             | High.            | Low.             |
| C. & N.W. (common)      | 62 $\frac{1}{4}$ | 57 $\frac{1}{2}$ | 61 $\frac{3}{8}$ | 56 $\frac{1}{4}$ | 58               | 50 $\frac{1}{8}$ | 56 $\frac{3}{8}$ | 43               | 47               | 39 $\frac{3}{8}$ | 44 $\frac{7}{8}$ | 35               | 43 $\frac{5}{8}$ | 34 $\frac{3}{4}$ | 39 $\frac{3}{4}$ | 36 $\frac{7}{8}$ | 41 $\frac{3}{4}$ | 35 $\frac{1}{8}$ | 41 $\frac{3}{4}$ | 36 $\frac{1}{4}$ | 46 $\frac{3}{4}$ | 36 $\frac{7}{8}$ | 48               | 43               |
| C. & N.W. (prefer'd)    | 75               | 69 $\frac{1}{2}$ | 78 $\frac{1}{2}$ | 72               | 74 $\frac{7}{8}$ | 69 $\frac{1}{4}$ | 72 $\frac{3}{4}$ | 63               | 66 $\frac{1}{8}$ | 57               | 62 $\frac{1}{2}$ | 53               | 60 $\frac{3}{4}$ | 53               | 58               | 54 $\frac{7}{8}$ | 57 $\frac{1}{4}$ | 51               | 57               | 52               | 62 $\frac{1}{2}$ | 52 $\frac{1}{2}$ | 62 $\frac{1}{2}$ | 58               |
| C. M. & St. P. (com'n)  | 49 $\frac{3}{4}$ | 41 $\frac{7}{8}$ | 48 $\frac{1}{2}$ | 43 $\frac{1}{2}$ | 46               | 39 $\frac{1}{2}$ | 44 $\frac{1}{2}$ | 34 $\frac{1}{2}$ | 37 $\frac{3}{8}$ | 31 $\frac{1}{4}$ | 41 $\frac{1}{2}$ | 31 $\frac{3}{4}$ | 39 $\frac{7}{8}$ | 32 $\frac{1}{2}$ | 33 $\frac{3}{8}$ | 33 $\frac{5}{8}$ | 35 $\frac{1}{2}$ | 32               | 35 $\frac{5}{8}$ | 32               | 39 $\frac{7}{8}$ | 32 $\frac{1}{2}$ | 40 $\frac{3}{8}$ | 35 $\frac{1}{8}$ |
| C. M. & St. P. (pref'd) | 73               | 66 $\frac{1}{2}$ | 74 $\frac{7}{8}$ | 69 $\frac{1}{2}$ | 70 $\frac{1}{4}$ | 63 $\frac{3}{4}$ | 64               | 56 $\frac{1}{2}$ | 55               | 48               | 60 $\frac{3}{4}$ | 51 $\frac{3}{4}$ | 58               | 51 $\frac{1}{2}$ | 54 $\frac{3}{4}$ | 52 $\frac{3}{8}$ | 54               | 51 $\frac{1}{4}$ | 53               | 50               | 59               | 50 $\frac{1}{2}$ | 58 $\frac{3}{4}$ | 56               |

QUOTATIONS OF 1875.

|                         |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |
|-------------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| C. & N.W. (common)      | 48 $\frac{3}{4}$ | 43 $\frac{1}{2}$ | 47 $\frac{1}{8}$ | 39 $\frac{1}{4}$ | 46 $\frac{1}{2}$ | 38 $\frac{5}{8}$ | 45 $\frac{7}{8}$ | 41 $\frac{3}{8}$ | 42 $\frac{1}{4}$ | 37 $\frac{3}{8}$ | 41 $\frac{3}{4}$ | 35 $\frac{3}{4}$ | 42 $\frac{1}{2}$ | 36 $\frac{1}{2}$ | 43 $\frac{1}{8}$ | 38 $\frac{1}{2}$ | 40 $\frac{1}{2}$ | 37 $\frac{3}{8}$ | 40               | 33 $\frac{3}{8}$ | 39 $\frac{7}{8}$ | 36 $\frac{1}{2}$ | 40 $\frac{3}{4}$ | 37 $\frac{7}{8}$ |
| C. & N.W. (prefer'd)    | 62 $\frac{3}{4}$ | 56 $\frac{3}{4}$ | 60 $\frac{1}{8}$ | 51 $\frac{1}{2}$ | 59 $\frac{1}{2}$ | 51 $\frac{1}{8}$ | 58 $\frac{1}{2}$ | 54               | 55 $\frac{1}{8}$ | 52 $\frac{1}{4}$ | 55               | 47 $\frac{3}{8}$ | 56 $\frac{1}{4}$ | 49               | 57 $\frac{7}{8}$ | 54 $\frac{1}{4}$ | 55 $\frac{1}{8}$ | 52 $\frac{1}{2}$ | 54 $\frac{1}{2}$ | 46               | 55               | 51               | 56 $\frac{7}{8}$ | 53 $\frac{1}{8}$ |
| C. M. & St. P. (com'n)  | 39 $\frac{3}{8}$ | 36               | 38 $\frac{3}{8}$ | 32 $\frac{1}{2}$ | 39 $\frac{3}{8}$ | 32 $\frac{1}{2}$ | 40 $\frac{1}{8}$ | 36 $\frac{3}{8}$ | 38               | 32               | 35 $\frac{1}{2}$ | 28 $\frac{5}{8}$ | 37 $\frac{3}{8}$ | 33 $\frac{3}{8}$ | 39               | 35 $\frac{3}{8}$ | 37 $\frac{1}{8}$ | 33 $\frac{1}{2}$ | 35 $\frac{1}{2}$ | 29 $\frac{5}{8}$ | 37 $\frac{1}{2}$ | 34               | 36 $\frac{1}{8}$ | 33 $\frac{3}{8}$ |
| C. M. & St. P. (pref'd) | 59 $\frac{3}{4}$ | 57               | 58               | 51 $\frac{1}{2}$ | 57               | 51               | 59 $\frac{7}{8}$ | 56 $\frac{1}{2}$ | 59               | 54 $\frac{1}{2}$ | 56 $\frac{1}{2}$ | 51 $\frac{1}{2}$ | 61 $\frac{3}{4}$ | 55               | 65 $\frac{5}{8}$ | 58 $\frac{3}{4}$ | 64 $\frac{1}{2}$ | 61 $\frac{3}{4}$ | 63 $\frac{3}{4}$ | 58 $\frac{1}{4}$ | 67 $\frac{1}{8}$ | 62 $\frac{1}{2}$ | 67 $\frac{1}{4}$ | 64 $\frac{1}{2}$ |

TABLE No. 2.—Prices of common stock of the Chicago & Northwestern, and of the Chicago, Milwaukee & St. Paul Railway Companies, between January 1 and February 8, 1876.

| COMPANY.                   | JANUARY, 1876. |         |                                 |                                 |
|----------------------------|----------------|---------|---------------------------------|---------------------------------|
|                            | 1st.           | 2d.     | 3d.                             | 4th.                            |
| Chicago & Northwestern..   | Holiday.       | Sunday. | $38\frac{7}{8} - 39\frac{1}{4}$ | $38\frac{7}{8} - 39\frac{1}{4}$ |
| Chicago, Mil. & St. Paul.. | Holiday.       | Sunday. | $35\frac{1}{2} - 35\frac{7}{8}$ | $35\frac{1}{4} - 36\frac{1}{8}$ |

| COMPANY.                   | JANUARY, 1876—Continued.        |                                 |                                 |                                 |
|----------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|
|                            | 5th.                            | 6th.                            | 7th.                            | 8th.                            |
| Chicago & Northwestern..   | $38\frac{1}{2} - 38\frac{7}{8}$ | $38\frac{3}{4} - 39$            | $38\frac{1}{2} - 39\frac{3}{8}$ | $39\frac{1}{4} - 39\frac{5}{8}$ |
| Chicago, Mil. & St. Paul.. | $35\frac{3}{8} - 35\frac{7}{2}$ | $35\frac{3}{4} - 35\frac{3}{8}$ | $35\frac{3}{4} - 36\frac{1}{8}$ | $35\frac{3}{4} - 36\frac{1}{8}$ |

| COMPANY.                   | JANUARY, 1876—Continued. |                                 |                                 |                                 |
|----------------------------|--------------------------|---------------------------------|---------------------------------|---------------------------------|
|                            | 9th.                     | 10th.                           | 11th.                           | 12th.                           |
| Chicago & Northwestern..   | Sunday.                  | $39\frac{1}{4} - 39\frac{5}{8}$ | $39\frac{3}{8} - 40\frac{3}{8}$ | $40 - 40\frac{7}{8}$            |
| Chicago, Mil. & St. Paul.. | Sunday.                  | $35\frac{3}{4} - 37$            | $36\frac{3}{8} - 37\frac{1}{2}$ | $37\frac{1}{4} - 37\frac{7}{8}$ |

| COMPANY.                   | JANUARY, 1876—Continued.        |                                 |                      |         |
|----------------------------|---------------------------------|---------------------------------|----------------------|---------|
|                            | 13th.                           | 14th.                           | 15th.                | 16th.   |
| Chicago & Northwestern..   | $40\frac{1}{8} - 40\frac{3}{4}$ | $40\frac{3}{4} - 41\frac{3}{8}$ | $40\frac{7}{8} - 41$ | Sunday. |
| Chicago, Mil. & St. Paul.. | $39\frac{1}{8} - 39\frac{7}{8}$ | $38\frac{7}{8} - 39\frac{1}{8}$ | $39 - 39\frac{3}{8}$ | Sunday. |

| COMPANY.                   | JANUARY, 1876—Continued. |                                 |                                 |                                 |
|----------------------------|--------------------------|---------------------------------|---------------------------------|---------------------------------|
|                            | 17th.                    | 18th.                           | 19th.                           | 20th.                           |
| Chicago & Northwestern..   | $40\frac{1}{2} - 42$     | $40\frac{3}{4} - 41\frac{1}{2}$ | $40\frac{3}{8} - 41\frac{3}{8}$ | $40\frac{5}{8} - 41\frac{1}{4}$ |
| Chicago, Mil. & St. Paul.. | $39 - 39\frac{7}{8}$     | $39\frac{3}{8} - 39\frac{7}{8}$ | $38\frac{7}{8} - 39\frac{3}{8}$ | $38\frac{3}{8} - 39\frac{3}{8}$ |

| COMPANY.                  | JANUARY, 1876—Continued.        |                                 |         |                                 |
|---------------------------|---------------------------------|---------------------------------|---------|---------------------------------|
|                           | 21st.                           | 22d.                            | 23d.    | 24th.                           |
| Chicago & Northwestern..  | $41\frac{1}{4} - 42$            | $41\frac{3}{8} - 41\frac{7}{8}$ | Sunday. | $41\frac{3}{8} - 41\frac{7}{8}$ |
| Chicago, Mil. & St. Paul. | $38\frac{7}{8} - 39\frac{5}{8}$ | $39 - 39\frac{3}{8}$            | Sunday. | $39 - 39\frac{3}{8}$            |

| COMPANY.                  | JANUARY, 1876—Continued.        |                                 |                                 |                                 |
|---------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|
|                           | 25th.                           | 26th.                           | 27th.                           | 28th.                           |
| Chicago & Northwestern..  | $41\frac{3}{8} - 41\frac{7}{8}$ | $41\frac{1}{8} - 41\frac{5}{8}$ | $41\frac{5}{8} - 42\frac{5}{8}$ | $42\frac{1}{4} - 43$            |
| Chicago, Mil. & St. Paul. | $39 - 39\frac{1}{4}$            | $39\frac{1}{8} - 40\frac{1}{8}$ | $40 - 41\frac{3}{8}$            | $41\frac{1}{2} - 42\frac{1}{2}$ |

TABLE No. 2.—Prices of common stock, &amp;c.—Continued.

| COMPANY.                  | JANUARY, 1876—Continued.        |         |                                 |       |
|---------------------------|---------------------------------|---------|---------------------------------|-------|
|                           | 29th.                           | 30th.   | 31st.                           |       |
| Chicago & Northwestern..  | $41\frac{5}{8} - 42\frac{1}{8}$ | Sunday. | $40\frac{3}{4} - 42\frac{5}{8}$ | ..... |
| Chicago, Mil. & St. Paul. | $41\frac{3}{8} - 42\frac{5}{8}$ | Sunday. | $41\frac{1}{4} - 42\frac{1}{4}$ | ..... |

| COMPANY.                   | FEBRUARY, 1876.                 |                                 |                                 |                                 |
|----------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|
|                            | 1st.                            | 2d.                             | 3d.                             | 4th.                            |
| Chicago & Northwestern..   | $40\frac{3}{8} - 41\frac{3}{8}$ | $40\frac{5}{8} - 41\frac{1}{2}$ | $40\frac{1}{2} - 41\frac{1}{2}$ | $40\frac{7}{8} - 41\frac{3}{4}$ |
| Chicago, Mil. & St. Paul.. | $41\frac{3}{8} - 41\frac{1}{8}$ | $40\frac{1}{2} - 41\frac{3}{8}$ | $40\frac{7}{8} - 41\frac{3}{4}$ | $41\frac{3}{8} - 41\frac{1}{8}$ |

| COMPANY.                   | FEBRUARY, 1876—Continued.       |         |                                 |                                 |
|----------------------------|---------------------------------|---------|---------------------------------|---------------------------------|
|                            | 5th.                            | 6th.    | 7th.                            | 8th.                            |
| Chicago & Northwestern..   | $41\frac{1}{8} - 41\frac{7}{8}$ | Sunday. | $41\frac{1}{8} - 42\frac{1}{4}$ | $41\frac{3}{8} - 42\frac{3}{8}$ |
| Chicago, Mil. & St. Paul.. | $41\frac{3}{8} - 42\frac{1}{4}$ | Sunday. | $41\frac{3}{8} - 42\frac{1}{4}$ | $42 - 42\frac{3}{8}$            |

Senator Bryant presented to the Senate, the following communication from the Fish Commissioners, which was ordered spread on the journal:

At a meeting of the Fish Commissioners of the States of Ohio, Michigan, and Wisconsin, held at the office of Governor J. J. Bagley, in Detroit, on the 2d day of February, 1876, by previous appointment, to consult upon measures for the propagation and protection of the food-fishes within and adjoining the States mentioned, a committee was appointed, consisting of Gov. J. J. Bagley, and George Clark, of Michigan, Wm. Welch, of Wisconsin, and Emery D. Potter, of Ohio, to prepare a plan to be submitted to the legislatures of the several States represented, and request them to enact suitable laws for carrying out the objects contemplated.

This committee met on the 7th of February, 1876, at the office of Gov. Bagley, in Detroit, and agreed upon the following provisions:

*First.*—It shall be unlawful for any distillery, coal-oil refinery, or gas-works, to discharge any refuse, or offal from their works, into any of the lakes or rivers in or adjoining the States represented, or into any stream putting into them or either of them.

*Second.*—It shall be unlawful to catch in any pound, or sweep net, any white-fish, or lake trout, between the fifteenth day of November, and the tenth day of September.

*Third.*—It shall be unlawful to use any gill, drag, or float-net at any time, for catching fish, in any of the waters herein mentioned, within ten miles of the shore.



*Fourth.*—It shall be unlawful to catch, kill, or offer for sale any white-fish weighing less than one and a half pounds.

*Fifth.*—A base shall be established in seven feet of water, along the shores, and it shall be unlawful to extend any pound net more than one mile from such base line; *provided*, that in the indentations of the lakes and bays said pound nets may be extended one and one quarter miles from said base line.

The committee unanimously recommend the passage of laws in conformity with the foregoing plan, with suitable penalties to enforce them.

Dated at Detroit, the 7th of February, 1876.

JOHN J. BAGLEY,  
GEO. CLARK,  
WM. WELCH,  
EMERY D. POTTER.

Ordered spread upon the journal, and referred to the Committee on State Affairs.

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### MEMORIALS PRESENTED AND REFERRED.

By Senator Barron:

Mem. No. 115, S.,

Of G. B. Woolridge, A. F. Skinner, and 36 other citizens, of the county of Barron, against the annexation of certain territory to said county.

To Committee on Town and County Organization.

By Senator Barney:

Mem. No. 116, S.,

Of Daniel Collins, and 120 others, against the taxation of church property.

To Committee on State Affairs.

By Senator McFarland:

Mem. No. 117, S.,

Of H. Van Dusen, and 15 other citizens, of Iowa county, for a law creating a State board of health.

To Committee on State Affairs.

By Senator Campbell:

Mem. No. 118, S.,

Of Rev. W. Bernard, and 20 other citizens, of La Fayette county, against the passage of any law taxing church property.

To Committee on State Affairs.

By Senator Reed:

Mem. No. 119, S.,

Of citizens of Watertown, in favor of the passage of bill 95, A., known as the "Vance bill."

To Committee on Railroads.

By Senator Reed:

Mem. No. 120, S.,

Of J. Ostrander, C. Stoppenbach, A. Wing, and other representatives of the business interest of Jefferson, in favor of the passage of bill, 95, A., known as the "Vance bill."

To Committee on Railroads.

By Senator Reed:

Mem. No. 121, S.,

Of P. C. Quentmeyer, and other citizens, of the city of Watertown, in favor of the passage of bill No. 95, A., known as the "Vance bill."

To Committee on Railroads.

By Senator Flint:

Mem. No. 122, S.,

Of J. M. Frestone, J. F. Edwards, A. C. Foster, and 35 other citizens, of Menomonie, Dunn county, praying for the repeal of the laws exempting the lands of the West Wisconsin Railway from taxation.

To Committee on Railroads.

By Senator Wilmot:

Mem. No. 123, S.,

Of M. Ruckengruber, and 87 others, citizens of Washington county, against the taxation of church property.

To Committee on State Affairs.

By Senator Hathaway:

Mem. No. 124, S.,

Of E. E. Evans, and 20 others, of Grant county, against the repeal of the "Potter-law."

To Committee on Railroads.

By Senator Hathaway:

Mem. No. 125, S.,

Of Edwin Dodge, and 20 others, of Grant county, for amendment to the assessment laws.

To Committee on State Affairs.

By Senator Hiner:

Mem. No. 126, S.,

For a State board of health.

To Committee on State Affairs.

By Senator Hiner:

Mem. No. 127, S.,

Of R. F. Moore, A. G. Ruggles, and 388 others, for the modification of existing laws relating to railway tariffs.

To Committee on Railroads.

By Senator Hiner:

Mem. No. 128, S.,

Of Wm. M. Phelan, James Fitzgerald, Martin Slanton, and 107 others, against the repeal of laws exempting churches, school prop-

erty, and the property of charitable institutions, and cemetery associations from taxation.

To Committee on State Affairs.

By Senator Hiner:

Mem. No. 129, S.,

Of J. Q. Griffith, Moore, Galloway, and Baker, and 83 others, against the passage of the Vance bill, and for retaining laws properly regulating the tariffs of railroads.

To Committee on Railroads.

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT :—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 95, A.,

A bill to amend chapter 273, of the laws of 1874, entitled, "an act relating to railroads, express and telegraph companies in the State of Wisconsin," and to repeal other sections and acts named therein.

No. 163, A.,

A bill to legalize the road of the West Wisconsin Railroad Company, as constructed and now operated from Warren's Mills, by way of Camp Douglas, to Elroy, in the county of Juneau, and to legalize the removal of the track between Warren's Mills and the village of Tomah.

No. 197, A.,

A bill to require the city of Milwaukee to bear a portion of the cost and expenses of opening and widening North street, in the 6th and 13th wards.

And has concurred in,

No. 47, S.,

A bill to provide for the hearing and decision of motions and making of orders in certain cases in civil actions.

No. 48, S.,

A bill to provide for the appointment of phonographic reporters for the circuit court of Oconto county.

And has concurred in, and amended the title of,

No. 36, S.,

A bill to repeal chapter 77, of the laws of 1875, relating to an act entitled, "an act to amend chapter 96, of the revised statutes, entitled, of the powers of the circuit court over the estate of infants, insane persons, and habitual drunkards."

And has concurred in Senate amendment to,

Jt. Res. No. 11, A.,

Relating to Legislative Manual for employees of the legislature.

## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk, thereof:

MR. PRESIDENT:—I am directed to request the return of  
No. 197, A.,

A bill to require the city of Milwaukee to bear a portion of the costs and expenses of opening and widening North street, in the 6th and 13th wards.

And have concurred in,  
No. 263, S.,

A bill to regulate the time of holding the circuit court in Dane county.

No. 4, S.,

A bill supplemental to an act entitled, an act to encourage the building of narrow-gauge railroads, and to secure cheap transportation for the people, approved March 2, 1875.

No. 197, A.,

Was returned to the Assembly as requested.

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## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to present you for signature,  
No. 130, A.,

An act to repeal chapter 117, laws of 1869, and chapter 19, laws of 1871, entitled, "an act to provide for a system of county highways in Brown county, and for the adoption of such system by other counties."

No. 80, A.,

An act to authorize William H. Decker, his associates and his or their heirs to build and maintain a dam across the Trempealeau River.

No. 103, A.,

An act to amend section 1, chapter 17, of the general laws of 1874, relating to the lien-law, and extending the provisions of said law to the counties of Taylor and Lincoln.

No. 67, A.,

An act to amend chapter 152, of the private and local laws of 1867, entitled, "an act to amend an act, entitled, an act to incorporate the village of Geneva, and the several acts amendatory thereof," granting additional powers to the board of trustees.

No. 132, A.,

An act to authorize Charles Schofield, John Latham, and Thomas H. Smith to build and maintain a dock and pier in Sturgeon Bay.

M. C. No. 3, A.,

Memorial to Congress for the establishment of a weekly mail-

route from Kiel to Memee post-office, in the county of Manitowoc, Wisconsin.

The same having been signed by the Speaker.

Said bills were signed by the President.

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to present you for signature,  
No. 163, A.,

An act to legalize the road of the West Wisconsin Railway Company, as constructed and now operated from Warren's Mills, by way of Camp Douglas to Elroy, in the county of Juneau, and to legalize the removal of the track between Warren's Mills and the village of Tomah.

The same having been signed by the Speaker.

Said act was signed by the President.

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### EXECUTIVE COMMUNICATIONS.

STATE OF WISCONSIN,  
EXECUTIVE DEPARTMENT,  
*MADISON, February, 15, 1876.*

*To the honorable, the Senate:*

The following entitled bills, memorials, and joint resolutions, originating in the Senate, having been presented to me, have severally received the Executive signature, and have been deposited in the office of the Secretary of State:

No. 1, S.,

An act to provide for the appointment of a phonographic reporter, for the second county court, of Brown county.

No. 2, S.,

An act to change and prescribe the times for holding the terms of the circuit court, for the county of Wood, in the seventh judicial circuit.

Jt. Res. No. 6, S.,

Relative to the erection by the United States government of a of a custom-house, postoffice, and other buildings, at Green Bay, Wisconsin.

No. 38, S.,

An act relating to Racine College, and amendatory of section 4, of chapter 65, of the private and local laws of 1852, as amended, by chapter 28, of the private and local laws of 1861.

Jt. Res. No. 9, S.,

Instructing and requesting our senators and representatives in Congress to oppose a certain bill in Congress.

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M. C. No. 1, S.,

Memorial to Congress for the establishment of a daily mail-route between Marine Mills, Washington county, Minnesota, *via* Farmington Center, to Osceola Mills, Polk county, Wisconsin.

M. C. No. 2, S.,

Memorial to Congress for increased mail facilities in the counties of Green Lake and Waushara.

No. 13, S.,

An act to lay out and establish a State road from Wausau to Shawano.

No. 6, S.,

An act to authorize town insurance companies to insure real and personal property in any town, and adjoining towns, in the same county where such insurance companies may be located, and to legalize such insurance heretofore made.

No. 7, S.,

An act to amend section 25, of chapter 119, of the revised statutes, entitled, "general provisions concerning courts of record, of the powers and duties of judges, and of attorneys and officers of court."

No. 10, S.,

An act relating to highways, and amendatory to section 1, of chapter 130, of the laws of 1867.

No. 14, S.,

An act to amend section 1 of chapter 306, of the general laws of 1875, entitled, an act to transfer the Soldiers' Orphans' Home to the custody of the regents of the State University.

M. C. No. 4, S.,

Memorial to Congress for increased mail facilities for the northern portion of Sauk county.

M. C. No. 6, S.,

Memorial to Congress for an appropriation for the improvement of the navigation of the Chippewa River.

M. C. No. 7, S.,

Memorial to Congress for the establishment of a semi-weekly mail-route from Wausau to Colby, *via* Stettin, Marathon, and Wein.

HARRISON LUDINGTON,  
*Governor.*

#### REPORTS OF COMMITTEES.

The Committee on the Judiciary, to which was referred,

No. 143, S.,

A bill to amend chapter 176, of the revised statutes, entitled, "of arrests."

No. 164, S.,

A bill relating to actions for the foreclosure of mortgages.

No. 175, S.,

A bill to legalize certain tax-rolls in the county of Chippewa.

No. 200, S.,

A bill relating to the redemption of lands sold under decree of

foreclosure, and amendatory of section 2, of chapter 195, laws of 1859.

Has had the same under consideration and instructed me to report them back with the recommendation that they pass.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,  
Jt. Res. No. 14, S.,  
Proposing an amendment to section 2, of article 8, of the constitution of this State.

Has had the same under consideration and instructed me to report the same back with the recommendation that it be adopted.

Senator Barron dissenting.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary to which was referred,  
No. 7, A.,  
In relation to negotiable paper maturing upon Sunday or upon a legal holiday.

No. 187, S.,

A bill relating to the office of Supreme Court reporter.

Has had the same under consideration, and instructed me to report them back with the recommendation that they be indefinitely postponed, Senator Barron dissenting as far as relates to No. 7. A.

H. D. BARRON,  
*Chairman.*

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The Committee on Enrolled Bills, have presented the following to his excellency, the Governor, for signature:

M. C. No. 5, S.,

Memorial to Congress for an increase of mail service from Durand to Pepin, in Pepin county.

R. J. FLINT,  
*Chairman.*

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The Committee on Roads, Bridges, and Ferries, to whom was referred,

No. 22, A.,

A bill to lay out a State road from the city of Chippewa Falls, in Chippewa county, to Medford, in Taylor county, and a road from Westboro, in Taylor county, to intersect the same.

Have had the same under consideration, and report the same back, with the recommendation that it be concurred in.

JOHN SCHUETTE,  
*Chairman.*

The Select Committee, consisting of the Senators from the 6th and 3d districts, to whom were referred,

No. 128, S.,

"A bill to authorize the Lake Avenue Company to convey its franchise and property."

No. 283, S.,

A bill declaring certain waters of the Kinnickinnick River, in the town of Lake, Milwaukee county, to be navigable waters.

Have had the same under consideration, and report them back with the recommendation that they pass.

JNO. L. MITCHELL,

W. H. JACOBS,

*Select Committee.*

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The Select Committee to whom was referred,

No. 202, A.,

A bill concerning railroads in the State of Wisconsin,

Report the same back, with a substitute, and recommend the adoption of the same, and the reference of such substitute to the Committee on Railroads, when adopted.

T. R. HUDD,

*Chairman.*

The substitute was, on motion of Senator Hudd, adopted, and the bill was referred to the Committee on Railroads.

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#### ASSEMBLY MESSAGES CONSIDERED.

No. 95, A.,

Was referred to Committee on Railroads.

No. 163, A.,

On motion of Senator Tate, the rules were suspended, and the bill concurred in.

No. 197, A.,

Was referred to Select Committee, consisting of Senators Mitchell and Jacobs.

The amendment to the title to No. 36, S., was agreed to.

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#### RESOLUTIONS CONSIDERED.

Res. No. 47, S.,

Requesting Secretary of State to furnish information relating to West Wisconsin Railway Company; introduced on yesterday by Senator Douglas.

Senator Barron offered the following preamble to precede the resolution:

WHEREAS, It is believed that the original affidavit referred to in the following resolution, on file in the office of the Secretary of State, differs from the printed copy thereof, published in the report of the Secretary of State of 1873.



Said preamble was adopted; and said resolution, as thus amended, was adopted.

Res. No. 43, S.,

Requesting the Railroad Committee to report whether in their judgment the "Potter-law" rates are liberal and remunerative, or otherwise; and also directing Railroad Commissioners to report to the next legislature whether the State has been deprived of any of its lawful tax, and upon other matters; introduced on yesterday by Senator Welch.

On motion of Senator Potter,

The further consideration of the resolution was postponed until to-morrow morning.

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#### ASSEMBLY BILLS READY FOR A THIRD READING.

No. 31, A.,

A bill to compel clerks of every town, city, and village, and the county clerk of every county in this State, to carry out the provisions of chapter 150, of the general laws of 1872, an act entitled, "an act to provide for the collection of statistics from towns, villages, and cities, showing amount of tax raised therein."

No. 51, A.,

A bill to legalize the laying out of a State road from Chippewa Falls, in Chippewa county, to Augusta, in the town of Bridge Creek, in Eau Claire county.

No. 181, A.,

A bill amendatory of section 24, chapter 151, general laws 1869, entitled, an act to codify the laws relating to normal schools.

Were severally read a third time and concurred in.

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#### SENATE BILLS READY FOR A THIRD READING.

No. 93, S.,

A bill to repeal chapter 348, of the laws of Wisconsin, of 1874, entitled, "an act to amend chapter 46, of the general laws of 1869, entitled 'an act to protect the lands and timber granted to the St. Croix and Lake Superior Railroad Company.'"

Was laid aside.

No. 69, S.,

A bill in relation to the pontoon bridge across the Mississippi River at Prairie du Chien.

Was read a third time and passed by the following vote:

Ayes—Senators Barney, Barron, Blair, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Downs, Eastman, Farr, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Scott, Silverthorn, and Wilmot—23.

Nays—Senators Barden, Flint, Schuette, and Treat—4.

## SENATE BILLS READY FOR ENGROSSMENT.

## Amendments to

No. 90, S.,

A bill to amend chapter 343, of the private and local laws of 1870, entitled, "an act to amend chapter 140, of the private and local laws of 1859, entitled, "an act to amend an act entitled, an act to incorporate the village of Monroe, and the acts amendatory thereof."

Were adopted, and the bill was ordered engrossed.

No. 154, S.,

A bill to waive the statutes of limitations, and other technical defenses therein named.

The question being on the indefinite postponement of the bill, The ayes and nays being called for, the motion was lost by the following vote:

Ayes—Senators Barden, Barron, Blair, Campbell, H. N. Davis, R. E. Davis, Douglas, Farr, Flint, Potter, Reed, Schuette, Scott, Tate, and Treat—15.

Nays—Senators Baker, Barney, Bryant, Cavanagh, Downs, Eastman, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevns, Silverthorn, and Wilmot—15.

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On motion of Senator Barden,  
The Senate adjourned.

WEDNESDAY, FEBRUARY 16, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

Prayer by the Rev. Mr. Bright.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, and Wilmot.

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On motion of Senator Barden,

No. 95, A.,

With pending amendments, was ordered printed.

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### COMMUNICATIONS.

The President laid before the Senate the following communication from the Attorney-General:

OFFICE OF ATTORNEY-GENERAL,  
MADISON, February 15, 1876.

*To the honorable Senate, of the State of Wisconsin:*

I have the honor to acknowledge the receipt of a copy of Senate resolution No. 35, and in response thereto would state, that in my opinion, no legislation is required in relation to the deposit of State funds in the suspended Corn-Exchange Bank at Waupun. I have submitted to the Register in Bankruptcy proofs of the claim in behalf of the State, and am of opinion that under the provisions of the bankrupt law, it is a preferred debt, and that there will be sufficient assets to pay the claim in full.

The proceedings in bankruptcy are not yet finished, and such further steps will be taken as may be necessary to protect the interests of the State.

Very respectfully,

A. SCOTT SLOAN,  
*Attorney-General.*

## MEMORIALS PRESENTED AND REFERRED.

By Senator Barron:

Mem. No. 130, S.,

- Of Lars Breckken, Jacob Oleson, and 36 others, citizens of the county of Barron, against any change in the boundaries of said county.

To Committee on Town and County Organization.

By Senator Barron:

Mem. No. 131, S.,

Of Otto F. Thingoold, John A. Wilson, and 39 others, citizens of the county of Barron, against the annexation of certain territory to said county.

To Committee on Town and County Organization.

By Senator Barney:

Mem. No. 132, S.,

Of G. Rust, H. Ruedebusch, C. Barwig, and 100 citizens, of Dodge county, asking the repeal of existing exemption laws.

To Committee on State Affairs.

By Senator Barney:

Mem. No. 133, S.,

Of C. Krosing, Jr., and 25 others, citizens of Williamstown, in favor of the passage of the bill known as the "Vance-bill."

To Committee on Railroads:

By Senator R. E. Davis:

Mem. No. 134, S.,

Of H. G. Ellsworth and others, citizens of Dane county, in favor of exemption of mortgaged property from taxation.

To Committee on Judiciary.

By Senator R. E. Davis:

Mem. No. 135, S.,

Of H. G. Ellsworth and others, citizens of Dane county, against the repeal or material modification of the Potter-law.

To Committee on Railroads.

By Senator Hathaway:

Mem. No. 136, S.,

Of E. Bayley and other citizens and voters, of Platteville, Grant county, for the passage of bill No. 95, A., a bill to amend chapter 273, of the laws of 1874, entitled, an act relating to railroads, express, and telegraph companies.

To Committee on Railroads.

By Senator Downs:

Mem. No. 137, S.,

Of D. O. Chandler, Mrs. J. H. Wagoner, and 48 others, residents of the county of Richland, against the passage of bill No. 106, A.

To Committee on Insurance, Banks, and Banking.

By Senator McFarland:

Mem. No. 138, S.,

Of Wm. T. Henry and 154 voters, of Iowa county, for the pas-

sage of bill No. 95, A., a bill to amend chapter 273, of the laws of 1874, entitled, an act relating to railroads, express, and telegraph companies.

To Committee on Railroads.

By Senator Campbell:

Mem. No. 139, S.,

Of James Judge and 100 other citizens, of Darlington, La Fayette county, for the passage of bill No. 95, A., a bill to amend chapter 273, of the laws of 1874, entitled, an act relating to railroads, express, and telegraph companies.

To Committee on Railroads.

By Senator Campbell:

Mem. No. 140, S.,

Of N. L. Olmstead and 81 other citizens and voters, of Belmont, La Fayette county, for the passage of bill No. 95, A., a bill to amend chapter 273, of the laws of 1874, entitled, an act relating to railroads, express, and telegraph companies.

To Committee on Railroads.

By Senator Campbell:

Mem. No. 141, S.,

Petition of Hon. Samuel Cole and 54 other citizens and voters, of the town of Gratiot, La Fayette county, for the passage of bill No. 95, A., relating to railroad, express, and telegraph companies.

To Committee on Railroads.

By Senator Campbell:

Mem. No. 142, S.,

Petition of A. A. Townsend, M. A. Fox, and 74 other voters, of Shullsburg, La Fayette county, for the passage of bill No. 95, A., relating to railroad, express, and telegraph companies.

To Committee on Railroads.

By Senator Campbell:

Mem. No. 143, S.,

Petition of John K. Williams, J. M. Brewster, and 124 other voters, of Shullsburg, La Fayette county, for the passage of bill No. 95, A., relating to railroad, telegraph, and express companies.

To Committee on Railroads.

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## RESOLUTIONS INTRODUCED.

By Senator Barden:

Jt. Res. No. 19, S.,

Requesting the Governor to invite the Governors of other States to unite in celebrating the completion of the Fox and Wisconsin River Canal.

*Resolved by the Senate, the Assembly concurring.* That the Governor be requested to invite the Governors of the States of Iowa and Minnesota, and of such other States as he shall deem proper, to unite

with him in calling a convention to celebrate the completion by the Government, of the canal uniting the Fox and Wisconsin Rivers; and to consider the importance to the whole country of the earliest completion of the entire work, and in connection with such of the Governors as agree thereto, that he call a convention therefor, to be held at the city of Portage, at such time as he shall designate, and with the aid of such committees as he shall appoint, to make all necessary arrangements therefor, and that provision for the necessary and proper expenses attending the same be made from the Fox and Wisconsin River fund.

The resolution lies over.

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### REPORTS OF COMMITTEES.

The Committee on Town and County Organization have had under consideration,

No. 220, S.,

A bill to repeal chapter 112, of the private and local laws of 1859, entitled, "an act to annex a part of the city of Kenosha to the town of Pleasant Valley."

Report the same back with amendment, with the recommendation that it do pass when so amended.

W. P. ROUNDS,  
*Chairman.*

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The Committee on State Affairs, to whom was referred,  
No. 251, S.,

A bill to appropriate to the Governor a certain sum of money for a contingent fund.

Respectfully report that they have had the same under consideration, and have instructed me to report the same back with an amendment, and when so amended, that the same do pass.

L. W. BARDEN,  
*Chairman.*

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The Committee on State Affairs, to whom was referred,  
No. 197, S.,

A bill relating to license money in the county of Vernon.

Respectfully report that they have had the same under consideration, and instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. W. BARDEN,  
*Chairman.*

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The Committee on Incorporations, to which was referred,  
No. 274, S.,

A bill to amend an act, entitled, an act to incorporate the city of Ripon.

Has had the same under consideration, and instructed me to report same back with recommendation that it do pass.

THOMAS B. SCOTT,  
*Chairman.*

On motion of Senator Hiner,  
The bill was recommitted to a select committee of one, consisting of Senator Hiner.

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The Committee on Railroads has had under consideration the substitute, referred to them for,

No. 23, S.,

A bill to amend chapter 289, of the general laws of 1873, entitled, "an act to amend chapter 182, of the general laws of 1872, entitled, 'an act to authorize municipal corporations to aid in the construction of railroads.'"

And report the same back, recommending the adoption and passage of the substitute.

The committee have also considered the substitute adopted by the Senate for,

No. 202, S.,

A bill concerning railroads, in the State of Wisconsin.

And report the same back, recommending the passage thereof.

No. 133, S.,

A bill to amend section 3, of chapter 79, of the revised statutes of 1858, entitled, "of railroads."

And report the same back with an amendment, and recommend the passage thereof, when so amended.

No. 113, S.,

A bill to amend chapter 303, of the laws of Wisconsin of 1874, entitled, "an act to facilitate the execution of trusts in certain cases."

No. 184, S.,

A bill to regulate the license to be paid by railroad companies.

And report the same back with the recommendation that they be passed.

W. H. HINER,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,

No. 145, S.,

A bill to amend chapter, 46 of the general laws of 1869, entitled, "an act to protect the lands, and timber thereon, granted to the St. Croix and Lake Superior Railroad Company.

Has had the same under consideration, and instructed me to report it back with certain amendments, and to recommend that it pass when thus amended.

H. D. BARRON,  
*Chairman.*

The Committee on Enrolled Bills, have examined and find correctly enrolled the following bills:

No. 4, S.,

A bill supplemental to an act entitled, "an act to encourage the building of narrow-gauge railroads, and to secure cheap transportation to the people, approved March 2, 1875."

R. J. FLINT,  
*Chairman.*

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The Committee on the Judiciary to which was referred,

No. 146, S.,

A bill to provide for the more efficient protection from trespassers of certain lands embraced in the grants made by Congress to the State of Wisconsin, by acts approved respectively, June 3, 1856, and May 5, 1864, and of the timber standing and growing thereon.

Has had the same under consideration, and instructed me to report it back with the recommendation that it pass.

H. D. BARRON,  
*Chairman.*

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The Committee on Agriculture, to whom was referred,

No. 196, S.,

A bill to amend sections 1 and 2, of chapter 138, of the general laws of 1870, entitled, "an act for the destruction of lynxes, wolves, and wild-cats."

Respectfully report that they have had the same under consideration, and have instructed me to report the same back, with amendments in the form of a substitute, with the recommendation that the amendments be adopted, and that when so amended the bill do pass.

L. W. BARDEN,  
*Chairman.*

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The Committee on State Affairs, to whom was referred,

No. 252, S.,

A bill relating to the issue of State warrants.

Respectfully report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Judiciary Committee.

L. W. BARDEN,  
*Chairman.*

So ordered.

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The Committee on the Judiciary, to which were referred,

No. 205, S.,

A bill to repeal chapter 190, of the laws of Wisconsin of 1875,



entitled, "an act to amend chapter 137, of the general laws of 1871, entitled, 'an act to provide for the trial of offenses upon information, and to make the general laws of the State applicable thereto.'"

No. 134, S.,

A bill to repeal chapter 267, laws of 1873, entitled, "an act to authorize town supervisors to lay out public highways in certain cases."

Has had the same under consideration, and instructed me to report them back with the recommendation that they be indefinitely postponed.

H. D. BARRON,  
*Chairman.*

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The Joint Committee on Claims has had under consideration,  
No. 12, S.,

A bill to facilitate the propagation and protection of fish, and appropriating a certain sum therein named, for that purpose, and for the purchase of a site for a State hatching-house, and for the erection thereof.

And have directed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Senators Campbell and Nevins, and Assemblyman Cooke, dissenting.

No. 259, S.,

A bill to provide for the payment of costs arising from actions brought in the name of the State, by a special treasury agent.

And have directed me to report the same back, with the recommendation that it be indefinitely postponed.

No. 129, S.,

A bill to provide compensation for indexing and completing the transcribing of the journals of the Senate and Assembly.

And have directed me to report the same back to the Senate, with the recommendation that it do pass.

FRANCIS CAMPBELL,  
*Chairman.*

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The Joint Committee on Charitable and Penal Institutions, to whom was referred,

No. 136, S.,

A bill to provide for the rebuilding of a portion of the building for the Institution for the Education of the blind.

Have had the same under consideration, and have instructed me to report the same back with a recommendation that it do pass.

H. N. DAVIS,  
*Chairman.*

Said bill was referred to the Committee on Claims.

The Committee on State Affairs, to whom was referred,  
No. 224, S.,

A bill for the protection of fish in Lake Michigan, and to preserve the purity of its waters and of the streams entering therein,

Respectfully report that they have had the same under consideration, and have instructed me to report back a substitute for the same, with a recommendation that it be adopted and printed, and that it do pass.

L. W. BARDEN,  
*Chairman.*

The printing of said substitute was ordered.

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The Committee on State Affairs, to whom was referred,  
No. 246, S.,

A bill to consolidate and amend the game laws of Wisconsin.

Respectfully report that they have had the same under consideration, and have instructed me to report the same back with amendments, and when so amended that it be printed, and recommend that the same do pass when so amended.

L. W. BARDEN,  
*Chairman.*

Said bill was ordered printed, with the amendment reported by the committee.

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The Committee on State Affairs, to whom was referred,  
No. 232, S.,

A bill for the protection of fish in the inland waters of the State.

Respectfully report that they have had the same under consideration, and have instructed me to report the same back with amendments in the form of a substitute, and recommend the adoption of the substitute; and further, that said substitute be printed.

L. W. BARDEN,  
*Chairman.*

The substitute was ordered printed.

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The special committee to whom was referred,

Petition of J. C. Place and others, of Washington county, asking repeal of chapter 147, private and local laws of 1871.

Report the same back with accompanying bill, and recommend its passage.

G. J. WILMOT,  
*Committee.*

Said bill became,  
No. 290, S.,

A bill repealing chapter 147, of the private and local laws of 1871, and all acts amendatory thereof relating to the taking of fish in Pike Lake, in Washington county, Wisconsin.

On motion of Senator Wilmot, the rules were suspended, and the bill was passed.

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof :

Mr. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 170, A.,

A bill to amend chapter 119, of the general laws of 1875, entitled, "an act to prevent gambling on railroads."

No. 137, A.,

A bill relating to the second county court of Brown county, and amendatory of sections 4 and 5, of chapter 9, laws of 1875.

No. 169, A.,

A bill to secure future advances upon mortgages, and for other purposes.

No. 172, A.,

A bill to legalize the official acts of Cyrus Lanyon, notary public.

No. 140, A.,

A bill to amend section 1, of chapter 115, of the general laws of 1874, entitled, an act to authorize the city of Racine to levy a special tax to purchase additional school grounds.

No. 139, A.,

A bill authorizing the correction of conveyances of real estate, in certain cases.

No. 111, A.,

A bill relating to the publication of delinquent tax-lists.

No. 171, A.,

A bill to authorize the taking of depositions in certain cases.

No. 114, A.,

A bill to provide for the adjustment and taxation of costs.

No. 52, A.,

A bill to constitute the clerk of the circuit court of Waukesha county, Wisconsin, clerk of the county clerk of said county.

And has adopted and asks the concurrence of the Senate in,

Jt. Res. No. 7, A.,

Providing for the printing and binding of the report of the Railroad Commissioners, for 1875.

And present you for signature,

No. 4, S.,

As act supplemental to an act, entitled an act to encourage the

building of narrow-gauge railroads, and to secure cheap transportation to the people, approved March 2, 1875.

The same having been signed by the Speaker.

Said act was signed by the President.

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#### ASSEMBLY MESSAGES CONSIDERED.

Nos. 170, 137, 172, 139, 171, 114, and 52,  
Were referred to Committee on Judiciary.

No. 169,

Was referred to Committee on Insurance, Banks and Banking.

No 140,

Was referred to the general file,

No. 111, and Jt. Res. No. 7, A.

Were referred to Committee on Printing.

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#### RESOLUTIONS CONSIDERED.

Res. No. 43, S.,

Requesting the Railroad Commissioners to report whether in their judgment the "Potter-law" rates are liberal and remunerative, or otherwise; and also directing them to report to the next legislature whether the State has been deprived of any of its lawful tax.

Senator Barron moved that the resolution be referred to Committee on Railroads.

The ayes and noes being called for,

The motion prevailed by the following vote:

Ayes—Senators Baker, Barron, Blair, Bryant, H. N. Davis, Downs, Farr, Flint, Hiner, Hudd, Jacobs, Mitchell, Rounds, Scott, Tate, and Wilmot—16.

Nays—Senators Barden, Barney, Campbell, Cavanagh, R. E. Davis, Douglas, Eastman, Hathaway, McFarland, Potter, Ryan, Schuette, Silverthorn, and Treat—14.

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#### SENATE BILLS ON THEIR ENGROSSMENT.

Jt. Res. No. 14, S.,

Proposing an amendment to section 2, of article 8, of the constitution of this State.

No. 129, S.,

A bill to provide compensation for indexing and completing the transcribing of the journals of the Senate and Assembly.

No. 128, S.,

A bill to authorize the Lake Avenue Company to convey its franchise and property.

No. 143, S.,

A bill to amend chapter 176, of the revised statutes, entitled, "of arrests."

No. 146, S.,

A bill to provide for the more efficient protection from trespassers of certain lands embraced in the grants made by Congress to the State of Wisconsin by acts approved respectively June 3, 1856, and May 5, 1864, and of the timber standing and growing thereon.

No. 164, S.,

A bill relating to actions for the foreclosure of mortgages.

No. 175, S.,

A bill to legalize certain tax-sales in the county of Chippewa.

No. 200, S.,

A bill relating to the redemption of lands sold under decree of foreclosure, and amendatory of section 2, of chapter 195, of laws of 1859.

No. 283, S.,

A bill declaring certain waters of the Kinnickinnick River, in the town of Lake, Milwaukee county, to be navigable waters.

No. 23, S.,

A bill to amend chapter 289, of the general laws of 1873, entitled, "an act to authorize municipal corporations to aid in the construction of railroads,"

No. 113, S.,

A bill to amend chapter 303, of the laws of Wisconsin for 1874, entitled, "an act to facilitate the execution of trusts in certain cases."

No. 184, S.,

A bill to regulate the license to be paid by railroad companies.

Were severally ordered engrossed.

The amendments to

No. 133, S.,

A bill to amend section 3, of chapter 79, of the revised statutes of 1858, entitled, "of railroads."

No. 145, S.,

A bill to amend chapter 46, of the general laws of 1869, entitled, "an act to protect the lands, and timber thereon, granted to the St. Croix & Lake Superior Railroad Company."

No. 220, S.,

A bill to repeal chapter 112, of the private and local laws of 1859, entitled, an act to annex a part of the city of Kenosha to the town of Pleasant Prairie.

No. 196, S.,

A bill to amend sections 1 and 2, of chapter 138, of the general laws of 1870, entitled, "an act for the destruction of lynxes, wolves, and wild cats."

Were adopted, and the several bills were ordered engrossed for a third reading.

No. 259, S.,

A bill to provide for the payment of costs arising from actions brought in the name of the State, by a special treasury agent.

Was recommitted to Committee on Judiciary.

The question being on the indefinite postponement of,

No. 12, S.,

A bill to facilitate the artificial propagation and preservation of fish, and appropriating a certain sum of money therein named, for that purpose, and to purchase a site for a State hatching-house and the erection thereof,

The ayes and nays were called for, and it was lost by the following vote:

Ayes—Senator Scott—1.

Nays—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Reed, Rounds, Ryan, Schuette, Silverthorn, Tate, Treat, and Wil-mot—28.

Senator Bryant offered the following amendment, to stand as a new section between sections 6 and 7:

Section 7. The Governor is hereby authorized and empowered to appoint an additional fish commissioner, to act with the commission now having charge of the fish-propagating interests of the State.

The amendment was adopted, and the bill was ordered engrossed for a third reading.

No. 251, S.,

A bill to appropriate to the Governor a certain sum of money for a contingent fund.

The amendments reported by the Committee on State Affairs were adopted, and the bill referred to Committee on Claims.

No. 187, S.,

A bill relating to the office of Supreme Court reporter.

Senator Silverthorn moved that the bill be recommitted to the Committee on Judiciary.

Which motion prevailed.

No. 205, S.,

A bill to repeal chapter 190, of the laws of Wisconsin of 1875, entitled, "an act to amend chapter 137, of the general laws of 1871, entitled, 'an act to provide for the trial of offenses upon information, and to make the general laws of this State applicable thereto.'"

No. 197, S.,

A bill relating to license-money in Vernon county.

Were indefinitely postponed.

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#### ASSEMBLY BILLS ON THEIR THIRD READING.

No. 22, A.,

A bill to lay out a State road from the city of Chippewa Falls, in

Chippewa county, to Medford, in Taylor county, and a road from Westboro, in Taylor county, to intersect the same.

Was ordered read a third time.

No. 7, A.,

A bill in relation to negotiable paper maturing upon Sunday or upon a legal holiday.

Was indefinitely postponed by the following vote.

Ayes—Senators Baker, Barden, Barney, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Eastman, Farr, Hathaway, Hudd, Jacobs, Mitchell, Nevins, Schuette, Silverthorn, Tate, Treat and Wilmot—21.

Nays—Senators Barron, Cavanagh, R. E. Davis, Flint, McFarland, Reed, Rounds, Ryan, and Scott—9.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT :—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 174, A.,

A bill relating to the boundaries of the town of Baldwin.

And has concurred in,

No. 207, S.,

A bill to amend chapter 59, private and local laws of 1868, entitled, an act to incorporate the city of Fond du Lac, &c., approved February 14, 1868, and limiting the bringing of actions against the city.

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#### ASSEMBLY MESSAGE CONSIDERED.

No. 174, A.,

Was referred to the Committee on Judiciary.

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The Committee on Enrolled bills have presented to his excellency, the Governor for signature:

No. 4, S.,

An act supplemental to "an act to encourage the building of narrow-gauge railroads, and to secure cheap transportation to the people," approved March 2, 1875.

R. J. FLINT,  
*Chairman.*

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On motion of Senator Potter,  
The Senate adjourned.

THURSDAY, FEBRUARY 17, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

Prayer by the Rev. Mr. Bright.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, and Wilmot.

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### COMMUNICATIONS.

The President laid before the Senate the following communication from the Secretary of State:

SECRETARY'S OFFICE,

MADISON, February 16, 1876.

*To the honorable, the President of the Senate of the State of Wisconsin:*

SIR:—I have the honor to acknowledge the receipt of a copy of Resolution No. 42, Senate, and to transmit herewith certified a copy of the annual report of the West Wisconsin Railway Company, filed in this office on the 3d day of October, 1873, and containing the affidavit referred to in said resolution.

Very respectfully,

PETER DOYLE,  
*Secretary of State.*



*Annual report of the operations of the West Wisconsin Railway Company, being a railroad company in the State of Wisconsin, during the year ending on the 31st day of December, 1872, made to the stockholders of said company, in accordance with the provisions of chapter 91, of the general laws of 1858.*

|   | Miles.         |
|---|----------------|
| I. Whole length of road operated by this company .....                        | 197            |
| Length of side-track .....  | 6              |
| Length of main line from Hudson to Elroy, in Wisconsin.....                   | 178            |
| Length of other lines operated by this company in Wisconsin, as follows:      |                |
| North Wisconsin Railroad, from North Wisconsin Junction to New Richmond ..... | 14             |
| Weight of rail per yard, pounds .....   | 50 & 55        |
| II. Amount of capital stock subscribed .....                                  | \$4,000,000 09 |
| Amount of capital stock paid.....   | 4,000,000 00   |
| III. Cost of road and equipment:  |                |
| For right-of-way.....   | 42,563 57      |
| For bridging.....   | 253,355 26     |
| For grading.....  | 681,681 51     |
| For iron.....   | 1,319,400 00   |
| For buildings.....  | 50,672 42      |
| For engines and cars.....   | 376,410 54     |
| For fencing.....  | 23,605 00      |
| For track-laying, ballasting, cross-ties, &c .....                            | 187,887 90     |
| For other purposes .....  | 124,558 91     |
|   | 3,060,135 11   |
| IV. Amount of indebtedness.....   | 4,640,000 00   |
| V. Receipts from the following sources:                                       |                |
| From passengers.....  | 165,263 67     |
| From mails.....   | 7,727 92       |
| From express companies .....  | 5,013 75       |
| From freight.....   | 183,795 55     |
| From other sources.....   | 4,198 93       |
|   | 365,999 82     |
| VI. Amount of gross earnings in the State of Wisconsin.....                   | 365,999 82     |
| VII. Expenditures:  |                |
| For repairs of road.....  | 56,040 97      |
| For buildings.....  | 4,911 08       |
| For engines.....  | 16,284 19      |
| For cars.....   | 13,742 14      |
| For fuel.....   | 29,081 70      |
| For wages of employees (included in items of expenditures).....               | 148,662 53     |
| For salaries exceeding one thousand dollars.....                              | 25,260 00      |
| For taxes.....  | 11,149 51      |
| For new construction.....   | 414,789 68     |
| For other purposes.....   | 127,633 02     |
|   | 847,554 82     |

*Annual Report of the operations, etc.—Continued.*

|   |               |       |
|---|---------------|-------|
| VIII. Amount due the corporation.....   | 15,818        | 79    |
| IX. Loss to the company from casualty.....  | 217           | 25    |
| X. Amount of freight reduced to tons, except animals:   | Tons. Pounds. |       |
| Lumber.....   | 57,479        | 1,968 |
| Wheat.....  | 14,870        | 860   |
| Oats.....   | 273           | 1,360 |
| Corn.....   | 1,378         | 544   |
| Flour.....  | 3,762         | 1,000 |
| Cattle.....   |               | 94    |
| Hogs and sheep.....   |               | 344   |
| Farming implements.....   | 1,072         | 1,530 |
| Lead.....   | 530           | 1,610 |
| Iron.....   | 682           | 1,180 |
| Coal.....   | 1,291         | 740   |
| Merchandise.....  | 14,917        | 1,595 |
| Miscellaneous, not enumerated above.....  | 22,859        | 1,925 |
| XI. Number of through passengers.....   | 1,154         |       |
| Number of way passengers.....   | 89,151        |       |
| Rate per mile of through passengers.....  | 3.44          |       |
| Rate per mile of way passengers.....  | 4.10          |       |
| XIII. Number of passengers and others killed.....   | None.         |       |
| Number of employees killed.....   | 1             |       |
| Number of passengers and others injured (slightly).....   | 1             |       |
| Number of employes injured.....   | 1             |       |
| XIV. The cause of death is as follows:  |               |       |
| Brakeman crushed coupling cars.   |               |       |
| The cause of injuries is as follows:  |               |       |
| Passenger in caboose injured by an engine running into freight train.   |               |       |
| Brakeman's hand crushed coupling cars.  |               |       |
| XV. Of the foregoing accidents, none have arisen from carelessness or negligence of employees on the road.                                |               |       |
| The employees from whose carelessness or negligence such accidents have arisen retained in the service of the corporation are as follows: |               |       |
| None.   |               |       |

STATE OF WISCONSIN, *County of St. Croix, ss.*

We, F. E. Trowbridge, secretary and treasurer, and Wm. G. Swan, superintendent, do each of us solemnly swear that the foregoing report has been made from the best sources of information at our disposal, and that the several matters therein set forth, are correct and true to the best of our knowledge, information, and belief, so help us God.

F. E. TROWBRIDGE,  
*Secretary.*  
 F. E. TROWBRIDGE,  
*Treasurer.*  
 WM. G. SWAN,  
*Superintendent.*

Subscribed and sworn to before me, this 26th day of September, 1873.

[Notarial Seal.]

D. M. WHITE,  
*Notary-Public.*

STATE OF WISCONSIN, *Secretary's Office, ss.*

The Secretary of State of the State of Wisconsin, hereby certifies that the foregoing has been compared with the original, on file in this office, and that the same is a true and correct copy thereof, and of the whole of such original.

In witness whereof, I have hereunto set my hand and affixed the great seal of the State, at the Capitol in Madison, this 16th day of February, A. D. 1876.

PETER DOYLE,  
*Secretary of State.*

The President laid before the Senate the following communication from the Railroad Commissioners:

OFFICE OF RAILROAD COMMISSIONERS,  
*MADISON, February 17, 1876.*

HON. C. D. PARKER,  
*Lieut.-Governor and President of the Senate:*

SIR:—I have the honor, in behalf of the board of Railroad Commissioners, to transmit herewith a communication to the honorable Senate, in relation to elevator charges in the State of Minnesota and in the city of Milwaukee, respectively, in pursuance of a request contained in Res. No. 37, S., and respectfully request that the same be presented.

Very respectfully,

JOHN W. HOYT,  
*Railroad Commissioner.*

OFFICE OF RAILROAD COMMISSIONERS,  
*MADISON, February 17, 1876.*

*To the honorable, the Senate of the State of Wisconsin:*

In response to that portion of Res. No. 37, S., which requests the Railroad Commissioners "to report the difference in elevator charges permitted to the railroads in Minnesota, and the rates charged by the railroad elevators in the city of Milwaukee," we have the honor to transmit herewith, first, a copy of a letter from Hon. Wm. R. Marshall, Railroad Commissioner of Minnesota, concerning the elevator rates allowed in that State, with an extract from the law to which he refers; and secondly, a copy of a letter just received from Mr. S. S. Merrill, General Manager of the Chicago, Milwaukee

& St. Paul Railroad, giving full and detailed information of the rates charged by the railroad elevators in the city of Milwaukee.

Very respectfully,

JOHN W. HOYT,  
JOSEPH H. OSBORN,  
*Railroad Commissioners.*

*Letter of Hon. Wm. R. Marshall, R. R. Commissioner of Minnesota.*

OFFICE STATE RAILROAD COMMISSIONER,  
ST. PAUL, February 15, 1876.

DR. JOHN W. HOYT,  
*Railroad Commissioner, Madison, Wisconsin:*

DEAR SIR:—In reply to yours of the 14th, I inclose a copy of the law of 1874 in regard to elevator charges. There have been no complaints under the law, to my knowledge. My impression is that the elevators on the railroads in this State are managed by the owners in a way to give general satisfaction to the public.

Yours truly,

WM. R. MARSHALL,  
*Railroad Commissioner.*

Section 1, of an act for the regulation of grain elevators and warehouses:

"Section 1. It shall not be lawful for any railroad, or person, association or corporation, engaged in the business of keeping an elevator, or warehouse, situated upon the line of any railroad in this State, for receiving and handling grain for other persons, to charge any greater sum than two cents per bushel for receiving, elevating, handling, and delivering such grain, nor shall it be lawful for any such railroad company, person, association, or corporation, to employ, or allow any person to act as inspector of the grain received into their elevator, or warehouse, who is in any manner, directly or indirectly interested in the purchase or shipping thereof."

*Letter of S. S. Merrill, General Manager Chicago, Milwaukee & St. Paul Railroad.*

CHICAGO, MILWAUKEE & ST. PAUL RAILWAY,  
GENERAL MANAGER'S OFFICE,  
MILWAUKEE, February 16, 1876.

HON. J. W. HOYT,  
*Railroad Commissioner:*

DEAR SIR:—\* \* \* \* \* The rates established in this city are, for the first twenty days, or part thereof, two cents per

bushel; for each additional ten days, one-half cent per bushel. Winter storage, grain received between the 20th of November and the 15th of April, is subject to the above rates until four cents storage has accrued, after which it is not subject to additional storage within the rates named.

The foregoing rates cover all expenses of receiving and delivery of grain.

Respectfully, yours,

S. S. MERRILL,  
*General Manager.*

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### MEMORIALS PRESENTED AND REFERRED.

By the President:

Mem. No. 144, S.,

Of the common council, of the city of Milwaukee, against the passage of a certain bill appropriating money for opening a street in that city.

To select committee, consisting of Senators Mitchell and Jacobs.

By Senator Hudd:

Mem. No. 145, S.,

Remonstrance of 150 citizens, of the town of Preble, Brown county, against the taxation of church property.

To Committee on State Affairs.

By Senator Hudd:

Mem. No. 146, S.,

Remonstrance of 100 citizens, of Depere, Brown county, against the taxation of church property.

To Committee on State Affairs.

By Senator Hudd:

Mem. No. 147, S.,

Remonstrance of 50 citizens, of Brown county, against the taxation of church property.

To Committee on State Affairs.

By Senator Hudd:

Mem. No. 148, S.,

Remonstrance of J. B. A. Masse, C. E. Crane, and 75 others, citizens of Green Bay, against the taxation of church property.

To Committee on State Affairs.

By Senator Barron:

Mem. No. 149, S.,

Remonstrance of W. S. Grover, Frank Beckwith, and 41 other citizens, of the county of Barron, against the annexation of certain territory to said county.

To Committee on Town and County Organization.

By Senator Barron:

Mem. No. 150, S.,

Remonstrance of John O'Neill, N. Washburn, and 52 other cit-

izens, of the county of Barron, against the annexation of certain territory to said county.

To Committee on Town and County Organization.

By Senator Downs:

Mem. No. 151, S.,

Remonstrance of J. H. Miner, E. C. Wulfing, and 50 other residents of Richland county, against the passage of bill 106, A.

To Committee on Banks and Banking.

By Senator Barney:

Mem. No. 152, S.,

Of taxpayers of the fifth and sixth wards of Watertown, asking to be set back to Dodge county, for legislative purposes.

To Committee on Apportionment.

By Senator Hiner:

Mem. No. 153, S.,

Of J. F. Steel, John Cleggett, and 15 others, against the repeal of the "Potter-law."

To Committee on Railroads.

By Senator Treat:

Mem. No. 154, S.,

Of J. S. Harper, C. E. Adams, J. T. Dodge, and 400 others, to exempt from taxation the following species of dogs: Greyhounds, fox-hounds, stag-hounds, and bloodhounds.

To Committee on Agriculture.

By Senator Barney:

Mem. No. 155, S.,

Remonstrance of A. H. Armstrong and 22 others, citizens of the town of Trenton, Dodge county, against the repeal or material alteration or modification of the Potter-law.

To Committee on Railroads.

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Senator Farr moved that the clerk be directed to request of the Assembly the return of No. 57, A., for further consideration.

The motion prevailed.

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## RESOLUTIONS INTRODUCED.

By Senator Treat:

Res. No. 44, S.,

Requesting Railroad Commissioners to furnish information regarding freights.

*Resolved*, That the Railroad Commissioners are requested to furnish the Senate with a written statement of their views, based upon their study of the railway question, as to the rates of grain and other produce freights, provided in bill No. 95, A., now pending in

this body; and also, to inform the Senate, whether in their opinion the average rate permitted to the railroads, under the present law, upon grain raised in Wisconsin, which is marketed in Milwaukee, is above or below 30 mills per ton per mile, and also whether, in their judgment, such rate is liberal and remunerative to the railways, or otherwise.

The resolution lies over.

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### REPORTS OF COMMITTEES.

The Committee on Federal Relations, to whom was referred,  
M. C. No. 15, S.,

Have had the same under consideration, and directed me to report the same back with a substitute, and recommend the adoption of the substitute.

GEO. E. BRYANT,  
*Chairman.*

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The Committee on Agriculture to whom was referred,  
No. 243, S.,

A bill to cure all the defects and irregularities in the proceedings relative to the re-organization into a joint-stock company by the Waukesha County Agricultural Society.

No. 223, S.,

A bill to amend chapter 45, of the general laws of 1871 entitled, an act to amend section 1, of chapter 53, of the general laws of 1858, entitled, an act for the formation and protection of county agricultural societies.

Respectfully report, that they have had the same under consideration, and have instructed me to report the same back with the recommendation that they do pass.

L. W. BARDEN,  
*Chairman.*

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The joint committee on printing, to which was referred,  
No. 111, A.,

Relating to the publication of delinquent tax-lists.

Have had the same under consideration, and instructed me to report the same back with passage recommended.

R. J. FLINT,  
*Chairman.*

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The Committee on Internal Improvements, to whom was referred,  
No. 194, S.,

A bill to authorize the building and maintaining a dam in the Wisconsin River in the city of Portage.

Respectfully report the same back to the Senate, and recommend that it be referred to the Committee on State Affairs.

J. B. TREAT,  
*Chairman.*

So ordered.

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The Committee on Finance, to whom was referred,  
No. 201, S.,

A bill relating to hawkers and peddlers, and amendatory of chapter 72, of the laws of 1870.

Have had the same under consideration, and have instructed me to report the same back, with the recommendation that it do pass, Senator Baker objecting to the wording of section 3 of the bill, to which he will call the attention of the Senate.

R. H. BAKER,  
*Chairman.*

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The Committee on Roads, Bridges, and Ferries, to whom was referred,

No. 160 S.,

A bill to amend chapter 184, of the laws of 1875, relating to Highways and Bridges.

No. 271, S.,

A bill relating to the discontinuance of roads by user and amendatory of section 85, of chapter 19, of the revised statutes, entitled, of roads and bridges.

Have had the same under consideration and report them back with the recommendation that they do pass.

JOHN SCHUETTE,  
*Chairman.*

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The Committee on Education, to which was referred,

No. 231, S.,

A bill to amend chapter 109, of the general laws of 1874, entitled, "an act to provide for the proper safe-keeping of the report of the geological survey."

No. 241, S.,

A bill to authorize and empower the School Land Commissioners to extend the time for payment of balance of principal on loan to school district No. 2, town of Richland, State of Wisconsin.

No. 282, S.,

A bill in relation to the State library.

Has had the same under consideration, and instructed me to report them back with the recommendation that they do pass.

S. L. NEVINS,  
*Chairman.*



The Committee on the Judiciary, to which was referred,  
No. 137, A.,

A bill relating to the second county court of Brown county, and  
amendatory of sections 4 and 5, of chapter 9, laws of 1875.

Has had the same under consideration, and instructed me to re-  
port it back with amendment and the recommendation that it pass  
when so amended.

H. D. BARRON,  
*Chairman.*

---

The Committee on Judiciary, to which was referred,  
No. 174, A.,

A bill in relation to the boundaries of the town of Baldwin.

Has had the same under consideration, and instruct me to report  
it back, with the recommendation that it pass.

H. D. BARRON,  
*Chairman.*

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On motion of Senator Barron. the rules were suspended, and the  
said bill was concurred in.

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The Committee on State Affairs to whom was referred  
No. 159, S.,

A bill relating to the Senate and Assembly journals,

Respectfully report that they have had under consideration this  
bill, and have instructed me to report the same back, with recom-  
mendation that it do pass.

No. 249, S.,

A bill to provide for a State sinking fund,

With recommendation that it do pass.

Senator Barden dissenting.

L. W. BARDEN,  
*Chairman.*

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The Joint Committee on Charitable and Penal Institutions, to  
which was referred,

No. 87, S.,

A bill appropriating a sum of money therein named to the  
Cadle Home, at Green Bay.

No. 88, S.,

A bill appropriating a sum of money therein named, to the St.  
Luke's Hospital, at Racine.

No. 83, S.,

A bill to appropriate to St. Rose Orphans' Asylum, of Milwaukee,  
a sum of money therein named.

No. 84, S.,

A bill appropriating a sum of money therein named to the Mil-  
waukee Orphans' Association, of Milwaukee.

No. 81, S.,

A bill to appropriate a sum of money therein named to the St.  
Æmelianus Orphans' Asylum.

No. 82, S.,

A bill appropriating a sum of money therein named to the Home of the Friendless.

No. 99, S.,

A bill to appropriate a sum of money therein named to the Milwaukee Industrial School.

No. 86, S.,

A bill to appropriate a sum of money therein named to the Fond du Lac Relief Society.

Have had the same under consideration, and have instructed me to report the same back with the recommendation that they do pass.

No. 80, S.,

A bill to appropriate a sum of money therein named to the St. Joseph's Orphans' Asylum, Milwaukee.

Have had the same under consideration, and have instructed me to report the bill back with an amendment, and recommend its passage, when so amended. •

H. N. DAVIS,  
*Chairman.*

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The Committee on Engrossed Bills, have examined, and find correctly engrossed, the following bills:

No. 183, S.,

A bill to authorize the Commissioners of School and University Lands to loan a portion of the trust funds of the State to the county of Racine.

No. 185, S.,

A bill to authorize the Commissioners of School and University Lands to loan a portion of the trust funds of the State to the county of Wood.

No. 90, S.,

A bill to amend chapter 343, of the private and local laws of 1870, entitled, "an act to amend chapter 140, of the private and local laws of 1859, entitled, 'an act to amend an act entitled, an act to incorporate the village of Monroe, and the acts amendatory thereof.'"

R. H. BAKER,  
*Acting Chairman.*

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The Committee on Engrossed Bills have examined and find correctly engrossed:

No. 184, S.,

A bill regulating the license to be paid by railroad companies.

R. H. BAKER,  
*Acting Chairman.*

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The Committee on Enrolled Bills have carefully examined and find correctly enrolled the following bills:

No. 48, S.,

An act to provide for the appointment of phonographic reporters for the circuit court of Oconto county.

No. 47, S.,

An act to provide for the hearing and decision of motions and the making of orders in certain cases in civil actions.

No. 36, S.,

An act to amend section 1, of chapter 77, of the laws of Wisconsin, of 1875, entitled, an act to amend chapter 96, of the revised statutes, entitled, of the powers of the circuit court over the estate of infants, insane persons, and habitual drunkards.

No. 263, S.,

An act to regulate the times of holding the circuit court in Dane county.

R. J. FLINT,

*Chairman.*

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The select committee of one, to whom was referred,

No. 289, S.,

A bill to amend chapter 125, of the general laws of 1875, entitled, an act to provide for costs on writs of *certiorari* from justices of the peace.

Report the same back and ask that it may be referred to Committee on Judiciary.

A. FARR,

*Committee.*

So ordered.

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### EXECUTIVE COMMUNICATIONS.

STATE OF WISCONSIN,

EXECUTIVE DEPARTMENT,

MADISON, February 17, 1876.

*To the honorable, the Senate:*

I herewith transmit to your honorable body the report of Professor T. C. Chamberlin, Chief Geologist, giving his judgment of the value of the library and cabinet of the late Dr. I. A. Lapham, as requested by Senate resolution No. 33.

HARRISON LUDINGTON,

*Governor.*

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MADISON, February 16, 1876.

HON. HARRISON LUDINGTON,

*Governor of Wisconsin:*

In accordance with your communication of the 8th inst., inclosing Senate Resolution, No. 33, relating to an examination and appraisal of the cabinet and library of the late Dr. I. A. Lapham, I beg leave to report that I have made the examination indicated,

and so far as possible verified my estimate. The value of the entire collection of rocks, minerals, fossils, zoological, and botanical specimens, books, pamphlets, and maps, together with the cases containing them, exclusive of a few duplicates—not more than one hundred—and of the unpublished manuscript of Dr. Lapham, which the family desire to retain as mementoes, is in my judgment, \$10,150, that being the average of four estimates.

Respectfully submitted,

T. C. CHAMBERLIN.

On motion of H. N. Davis,

The communication was referred to Committee on Education.

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 224, A.,

A bill to revise, consolidate, and amend an act, entitled, an act to incorporate the city of Waupaca.

No. 40, A.,

A bill in relation to the courts of the county of Milwaukee.

No. 60, A.,

A bill to repeal chapter 44, of the laws of Wisconsin, 1874, an act to amend chapter 248, of the laws of 1873, entitled, an act to amend chapter 115, of the general laws of 1869, entitled, an act in relation to the courts of the county of Milwaukee, Wisconsin.

No. 72, A.,

A bill to repeal section 7, of chapter 166, general laws 1872, entitled, an act to organize the paid fire department of any city within the State of Wisconsin into a relief association.

No. 205, A.,

A bill to authorize the restoration and maintenance of the waters of Brown's Lake, in the town of Burlington, Racine county, to and at their natural flow and level.

And has concurred in,

No. 16, S.,

A bill to appropriate a sum of money therein named, for the use of the Institution for the Education of the Blind, for the payment of current expenses.

No. 17, S.,

A bill to appropriate a sum of money therein named, for the use of the Institute for the Education of the Deaf and Dumb, for the payment of current expenses for the year ending March, 1, 1877, and for permanent improvements.

No. 19, S.,

A bill to appropriate a sum of money therein named for the use

of the Industrial School for Boys, for the payment of current expenses, to pay indebtedness, and to complete barn.

No. 33, S.,

A bill to appropriate a sum of money therein named for the payment of pensions to soldiers' orphans, as provided in chapter 72, laws of 1874, for the year 1876.

No. 34, S.,

A bill to appropriate a sum of money therein named for the payment of current expenses of the State Prison, for the year ending March 1, 1877.

No. 52, S.,

A bill to amend section 4, of chapter 430, of the private and local laws of 1868, entitled, an act to incorporate the Apple River Log Driving Company.

No. 53, S.,

A bill to appropriate to Fred. A. Dennett, and R. M. Strong, the sum of \$50 each.

No. 62, S.,

A bill relating to the preservation of fish in Silver Lake, and Fish Lake and the waters connecting them in the county of Wau-shara.

And has amended and concurred in, as amended,

No. 31, S.,

A bill relating to wills proved and allowed in any other of the United States.

And has concurred in,

Jt. Res. No. 15, S.,

Instructing the Attorney-General to commence suit for the recovery of State money.

Jt. Res. No. 18, S.,

Requesting the establishment of a signal station at Madison.

And has adopted,

Jt. Res. No. 15, A.,

Relating to adjournment till Wednesday evening next.

And present you for signature,

No. 174, A.,

An act in relation to the boundaries of the town of Baldwin.

No. 4, A.,

An act to provide for taking depositions in county courts, in probate matters.

No. 90, A.,

An act to authorize the common council of the city of Janesville, to issue city bonds to an amount, not exceeding ten thousand dollars, for the purpose of canceling certain outstanding bonds.

The same having been signed by the Speaker.

Were signed by the President.

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#### ASSEMBLY MESSAGES CONSIDERED.

No. 40, A., and No. 60, A.,

Were referred to select committee, consisting of Senators Mitchell and Jacobs.

No. 72, A., and No. 224, A.,  
Were referred to Committee on Incorporations.  
No. 205, A.,  
Was referred to Committee on Agriculture.  
The amendment to  
No. 31, S.,  
Was concurred in.  
The Senate refused to concur in  
Jt. Res. No. 15, A.,  
Subsequently,  
On motion of Senator Wilmot,  
The vote by which concurrence in said resolution was refused,  
was re-considered.  
And the resolution was concurred in.

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#### SENATE BILLS READY FOR A THIRD READING.

No. 185, S.,  
A bill to authorize the Commissioners of School and University  
Lands to loan a portion of the trust funds of the State to the coun-  
ty of Wood.  
No. 183, S.,  
A bill to authorize the Commissioners of School and University  
Lands to loan a portion of the trust funds of the State to the coun-  
ty of Racine.  
No. 184, S.,  
A bill to regulate the license to be paid by railroad companies.  
Were severally read a third time and passed.  
No. 90, S.,  
A bill to amend chapter 343, of the private and local laws of 1870,  
entitled, "an act to amend chapter 140, of the private and local  
laws of 1859, entitled, 'an act to amend an act, entitled, an act to  
incorporate the village of Monroe, and acts amendatory thereof.'"  
Was read a third time and passed.  
The title to said bill, No. 90, S., was amended so as to read as  
follows: To authorize incorporated villages to lay out, open, change,  
extend, and widen public squares, grounds, highways, streets, and  
alleys.  
No. 134, S.,  
A bill to repeal chapter 267, laws of 1873, entitled, "an act to  
authorize town supervisors to lay out public highways in certain  
cases."  
Was indefinitely postponed.

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#### ASSEMBLY BILLS READY FOR A THIRD READING.

No. 22, A.,  
A bill to lay out a State road from the city of Chippewa Falls, in

Chippewa county, to Medford, in Taylor county, and a road from Westboro, in Taylor county, to intersect the same.

Was concurred in.

No. 61, A.,

A bill for the division of the counties of Clark and Marathon, and the erection of the county of Langlade.

Was indefinitely postponed by the following vote:

Ayes—Senators Baker, Bryant, Campbell, H. N. Davis, Douglas, Downs, Farr, Hathaway, Mitchell, Nevins, Potter, Tate, and Treat—13.

Nays—Senators Barney, Blair, Cavanagh, Eastman, Hiner, Hudd, McFarland, Rounds, Ryan, Schuette, Scott, Silverthorn, and Wilmot—13.

The President voted in the affirmative.

#### SENATE BILLS ON THEIR ENGROSSMENT.

No. 159, S.,

A bill relating to the Senate and Assembly journals,

No. 160, S.,

A bill to amend chapter 184, laws of 1875, relating to highways and bridges.

No. 243, S.,

A bill to cure all defects and irregularities in the proceedings relative to the reorganization into joint stock company by the Waukesha County Agricultural Society.

No. 201, S.,

A bill relating to hawkers and peddlers, and amendatory of chapter 72, laws of 1870.

No. 223, S.,

A bill to amend chapter 45, of the general laws of 1871, entitled, an act to amend section 1, of chapter 53, of the general laws of 1854, entitled, an act for the formation and protection of county agricultural societies.

No. 241, S.,

A bill to authorize and empower the School Land Commissioners to extend the time for payment of balance of principal on loan to school district No. 2, town of Richland, county of Richland, and State of Wisconsin.

No. 231, S.,

A bill to amend chapter 109, of the general laws of 1874, entitled, "an act to provide for the proper safe-keeping of the report of the geological survey."

Were severally ordered engrossed.

No. 102, S.,

A bill concerning railroads in the State of Wisconsin.

Senator Barden offered the following amendment to section 1 of the substitute:

Add to said section: *Provided*, that nothing contained in this section shall be construed as in any manner authorizing railroad

companies now owning or operating, or which may hereafter own or operate competing lines of railroads in this State, to consolidate with each other.

The amendment was adopted.

The rules were suspended and the bill passed.

The title of said bill was amended so as to read as follows:

A bill to amend section 12, of chapter 119, laws of 1872, entitled, "an act in relation to railroads, and the organization of railroad companies."

No. 282, S.,

A bill in relation to the State Library.

Senator Barron offered the following amendment:

Add to the said section 1: *Provided*, that nothing herein shall be so construed as to authorize the appointment of State Librarian by other person or persons than the governor.

The amendment was adopted, and said bill was ordered to a third reading.

M. C. No. 13, S.,

Requesting an investigation into alleged frauds upon the revenue of the United States, within the State of Wisconsin.

The amendments reported by the committee, were ruled out of order.

On motion of Senator Farr,

The memorial was recommitted to Committee on Federal Relations.

No. 249, S.,

A bill to provide for a State sinking fund.

Was refused engrossment.

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#### ASSEMBLY BILLS ON THEIR THIRD READING.

No. 111, A.,

A bill to amend chapter 47, of the general laws of 1874, in relation to the publication of delinquent tax-lists.

No. 140, A.,

A bill to amend section 1, of chapter 115, of the general and local laws of 1874, entitled, "an act to authorize the city of Racine to levy a special tax to purchase additional school grounds."

Were severally ordered to a third reading.

No. 174, A.,

A bill in relation to the boundaries of the town of Baldwin.

On motion of Senator Barron, the rules were suspended, and the said bill was concurred in.

The amendments reported by the committee to,

No. 137, A.,

A bill relating to the second county court, of Brown county, and amendatory of sections 4 and 5, of chapter 9, laws of 1875.

Were adopted, and the bill ordered to a third reading.

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On motion of Senator Farr,

The Senate adjourned.



FRIDAY, FEBRUARY 18, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

Prayer by the Rev. Mr. Bright.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot.

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Senator Mitchell moved that the vote by which,  
No. 61, A.,

A bill for the division of the counties of Clark and Marathon,  
and the erection of the county of Langlade,

Was indefinitely postponed be reconsidered.

The ayes and nays being called for, the motion prevailed by the following vote:

Ayes—Senators Barden, Barney, Blair, Cavanagh, Eastman, Hiner, Hudd, McFarland, Mitchell, Reed, Rounds, Ryan, Schuette, Silverthorn, and Scott—15.

Nays—Senators Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Farr, Flint, Hathaway, Nevins, Potter, Tate, Treat, and Welch—13.

The bill was then recommitted to the Committee on Town and County Organization.

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### COMMUNICATIONS.

The President presented the following communication from the Railroad Commissioners:

OFFICE OF RAILROAD COMMISSIONERS,  
MADISON, Feb. 18, 1876.

Hon. C. D. PARKER,

*Lieut.-Governor and President of the Senate:*

SIR:—I have the honor, in behalf of the board of Railroad Commissioners, to transmit herewith a communication in answer to resolve second, of Res. No. 37, S., and respectfully request that you present the same to the honorable Senate.

Very respectfully,

JOHN W. HOYT,  
*Railroad Commissioner.*

OFFICE OF RAILROAD COMMISSIONERS,  
MADISON, February 18, 1876.

*To the Honorable Senate of the State of Wisconsin :*

In reply to that portion of resolution No. 37, S., which requests the Railroad Commissioners to "furnish the Senate with the local tariffs of the several railroads in the State of Minnesota, and that said commissioners ascertain \* \* \* whether the people on the line of any railroad in \* \* \* Minnesota have, by public meetings generally and largely attended, asked any such railroad company to abandon the rates of 1874 and return to the rates established previous to 1874, and whether any railroad company or companies in said State of Minnesota did abandon said legal rates of 1874, at such public requests, and continued so to do, without complaint or molestation from any one residing on the line of, or doing business with any such road or roads, and whether any other railroad, especially the Winona & St. Peter Railroad, ever complied with the rates fixed by the act of 1874, and whether any complaint was ever made to the courts against said company because of said failure," we have the honor to submit the inclosed copy of a communication this day received from the Hon. Wm. R. Marshall, Railroad Commissioner, of Minnesota, in answer to inquiries made by this commission, in pursuance of said resolution.

The railroad tariffs of rates now in force, on the railroads of Minnesota, to which the honorable commissioner refers in his communication, will be transmitted so soon as received.

Very respectfully,

JOHN W. HOYT,  
JOS. H. OSBORN,  
*Railroad Commissioners.*

*Communication of Hon. Wm. R. Marshall, Railroad Commissioner of Minnesota.*

OFFICE OF STATE RAILROAD COMMISSIONER,  
SAINT PAUL, February 16, 1876.

DR. J. W. HOYT,  
*Railroad Commissioner:*

DEAR SIR:—Yours of 14th, with Senate resolutions, is received.

I mail you to-day, copies of local tariffs of all the railroads that have offices in this city, and have written to Winona and St. Peter Company, and Southern Minnesota Company, to send you theirs.

In answer to other matters, I would say that the railroads in 1874, generally conformed to the law and commissioners' tariffs. They varied their tariffs to conform to the general requirements, such as progressive rates—an increase for each mile of distance, &c., on freights. Probably they did not adopt the specific rates of commissioners' tariff, except as to passengers. There were, however, no complaints from shippers. In at least one instance, the St. Paul & Sioux City Railroad, the public petitioned the commissioners, to restore former passenger rates (5 cents, where it had been reduced to 4 cents) to enable the railroad company to continue a service which they would not keep up at the reduced rate. The commissioners restored former rates. It was manifest the roads could not live at the reduced rates. Merchants and shippers generally believed that the commissioners' rates were oppressive. This feeling led to the repeal of the law last year.

I do not remember on the Winona & St. Peter road any such action as is referred to in your Senate resolution. Probably this case of the St. Paul & Sioux City railroad was meant.

The commissioners having performed their duty of prescribing rates, publishing tariff, etc., were disposed to leave it with the public and the roads; and there being no complaint, the law was enforced for only a few months; from August, 1874, until repealed in the winter following. They did not think it wise, or feel called upon to take action to compel strict compliance with the tariff.

You doubtless know there was, in 1871, a law fixing rates on grain, lumber, &c. That was a dead letter, except the test case of *Blake vs. Winona & St. Peter Railroad Company*, now in the United States Supreme Court.

Yours, truly,

WM. R. MARSHALL,  
*Railroad Commissioner.*

P. S.—The tariffs sent you are the ones now in force.

W. R. M.

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#### MEMORIALS PRESENTED AND REFERRED.

By Senator Welch:

Mem. No. 156, S.,

Of 76 citizens, of Sauk county, against the repeal of the Potter-law

To Committee on Railroads.

By Senator Barron:

Mem. No. 157, S.,

Of N. M. Rockman, Baptiste Quaderer, C. F. Finley, and 144 other

citizens, of the county of Barron, against the annexation of certain territory to said county.

To Committee on Town and County Organization.

By Senator Barron:

Mem. No. 158, S.,

Of R. Kellogg, Fred Telke, I. Sprague, and 80 other citizens, of Barron county, against the annexation of certain territory to said county.

To Committee on Town and County Organization.

By Senator Hathaway:

Mem. No. 159, S.,

Of G. W. Howe and 24 others, of Grant county, in favor of the passage of bill No. 95, A.

To Committee on Railroads.

By Senator Schuette:

Mem. No. 160, S.,

Of Nick Becker and 130 others, of the towns of Eaton, Liberty, and Memee, Manitowoc county, against the taxation of church property, &c.

To Committee on State Affairs.

By Senator Barney:

Mem. No. 161, S.,

Of S. W. Lamoreux and others, of Dodge county, against the passage of bill to tax life insurance companies.

To Committee on Banks and Banking.

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## REPORTS OF COMMITTEES.

The Committee on Engrossed Bills, have examined and found correctly engrossed the following bills:

No. 129, S.,

A bill to provide compensation for indexing and completing the transcribing of the journals of the Senate and Assembly.

No. 220, S.,

A bill to repeal chapter 112, of the private and local laws of 1859, entitled, an act to annex a part of the city of Kenosha to the town of Pleasant Prairie.

No. 113, S.,

A bill to amend chapter 303, of the laws of Wisconsin for 1874, entitled, "an act to facilitate the execution of trusts in certain cases."

No. 133, S.,

A bill to amend section 3, of chapter 79, of the revised statutes of 1858, entitled, "of railroads."

Jt. Res. No. 14, S.,

Joint resolution proposing an amendment to section 2, of article 8, of the constitution of this State.

No. 164, S.,

A bill relating to actions for the foreclosure of mortgages.

No. 283, S.,

A bill declaring certain waters of the Kinnickinnick River, in the town of Lake, Milwaukee county, to be navigable waters.

No. 196, S.,

A bill to amend sections 1 and 2, of chapter 138, of the general laws of 1870, entitled, "an act for the destruction of lynxes, wolves, and wild cats."

No. 223, S.

A bill to amend chapter 45, of the general laws of 1871, entitled, an act to amend section 1, of chapter 53, of the general laws of 1858, entitled, an act for the formation and protection of county agricultural societies.

No. 128, S.,

A bill to authorize the Lake Avenue Company to convey its franchises and property.

No. 146, S.,

A bill to provide for the more efficient protection from trespassers of certain lands embraced in the grants made by Congress to the State of Wisconsin, by acts approved respectively, June 3, 1856, and May 5, 1864, and of the timber standing and growing thereon.

No. 159, S.,

A bill relating to the Senate and Assembly journals.

No. 231, S.,

A bill to amend chapter 109, of the general laws of 1874, entitled, an act to provide for the proper safe keeping of the report of the geological survey.

No. 175, S.,

A bill to legalize certain tax sales in the county of Chippewa.

No. 282, S.,

A bill in relation to the State library.

No. 160 S.,

A bill to amend chapter 184, of the laws of 1875, relating to highways and bridges.

No. 143, S.,

A bill to amend chapter 176, of the revised statutes, entitled, of arrests.

No. 200, S.,

A bill relating to the redemption of lands sold under decree of foreclosure, and amendatory of section 2, of chapter 195, of laws of 1859.

No. 241, S.,

A bill to authorize and empower the School Land Commissioners to extend the time for payment of balance of principal on loan to school district No. 2, town of Richland, county of Richland, and State of Wisconsin.

No. 23, S.,

A bill to amend chapter 289, of the general laws of 1873, entitled, "an act to amend chapter 182, of the general laws of 1872,

entitled, 'an act to authorize municipal corporations to aid in the construction of railroads.'"

No. 12, S.,

A bill to facilitate the artificial propagation and preservation of fish, and appropriating a certain sum of money therein named, for that purpose, and to purchase a site for a State hatching-house and for the erection thereof.

R. H. BAKER,  
*Acting Chairman.*

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The Committee on Banks, Banking, and Insurance, to which was referred,

No. 58, A.,

A bill to amend chapter 240, general laws of 1875, entitled, an act authorizing adjoining towns, not exceeding fifteen in number, to form insurance companies.

No. 82, A.,

A bill to enable boards of underwriters, incorporated by or under the laws of the State of Wisconsin to establish and maintain a fire patrol.

Has had the same under consideration and directed me to report them back, and recommend that they be concurred in.

WM. BLAIR,  
*Chairman.*

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The Committee on Banks, Banking, and Insurance, to whom was referred,

No. 169, A.,

A bill to secure future advances upon mortgages, and for other purposes.

Have had the same under consideration and report it back with the recommendation that it be referred, to the Committee on Judiciary.

WM. BLAIR,  
*Chairman.*

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So ordered.

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The Committee of Internal Improvements to whom was referred, No. 239, S.,

A bill to amend section 2, of chapter 120, of the general laws of 1862, in relation to county surveyors.

No. 238, S.,

A bill to amend section 1, of chapter 33, of the general laws of 1874, relating to permanent land-marks.

Respectfully report the same back to the Senate, and recommend that they do pass.

J. B. TREAT,  
*Chairman.*

The Committee on Finance, to whom was referred,  
No. 154, S.,

A bill to waive the statute of limitations and other technical defenses therein named.

Have had the same under consideration and the majority of said committee report the same back without recommendation; Senator Treat objecting, and recommending its indefinite postponement.

R. H. BAKER,  
*Chairman.*

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The Committee on Public Lands, to whom was referred,  
No. 258, S.,

A bill relating to trespassing on State lands, and for the repeal of chapter 21, of the general laws of 1871, entitled, "an act to consolidate and amend the laws relating to trespassing on State lands."

Respectfully report that they have had the same under consideration, and have directed me to report the same back, with a recommendation of the passage of the same.

Senator McFarland dissenting.

MARK DOUGLAS,  
*Chairman.*

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The Committee on Federal Relations, to whom was referred,  
M. C. No. 12, S.,

Have had the same under consideration, and direct me to report the same back, recommending its adoption.

G. E. BRYANT,  
*Chairman.*

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The Committee on Enrolled Bills have examined and find correctly enrolled the following bill:

No. 52, S.,

An act to amend section 4, of chapter 430, of the private and local laws of 1868, entitled, an act to incorporate the Apple River Log-Driving Company.

Jt. Res. No. 15, S.,

Joint Resolution instructing Attorney-General to commence suit for the recovery of State money.

Jt. Res. No. 18, S.,

Joint Resolution, requesting the establishment of a signal station at Madison, Wisconsin.

R. J. FLINT,  
*Chairman.*

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The Committee on Enrolled Bills, have presented the following bills to his excellency, the Governor, for signature:

No. 48, S.,

An act to provide for the appointment of phonographic reporters for the circuit court of Oconto county.

No. 47, S.,

An act to provide for the hearing and decision of motions and the making of orders in certain cases in civil actions.

No. 36, S.,

An act to amend section 1, of chapter 77, of the laws of Wisconsin, of 1875, entitled, an act to amend chapter 96, of the revised statutes, entitled, of the powers of the circuit court over the estate of infants, insane persons, and habitual drunkards.

No. 263, S.,

An act to regulate the times of holding the circuit court in Dane county.

R. J. FLINT.

*Chairman.*

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The Committee on Railroads, has had under consideration,  
No. 95, A.,

A bill to amend chapter 273, of the laws of 1874, entitled, "an act relating to railroads, express and telegraph companies in the State of Wisconsin," and to repeal other sections and acts named therein.

And report the same back with the recommendation that it be concurred in. Senators Potter and Campbell dissenting.

W. H. HINER,

*Chairman.*

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### REPORTS OF SELECT COMMITTEES.

The select committee, to whom was referred,

No. 274, S.,

A bill to amend an act entitled, an act to incorporate the city of Ripon.

Has had the same under consideration, and report it back with amendments, and recommend its passage when so amended.

W. H. HINER.

*Committee.*

On motion of Senator Hiner, the rules were suspended, and the bill was passed, and the title to said bill was amended so as to read as follows:

A bill amendatory of chapter 72, of the private and local laws of 1858, relating to the city of Ripon.

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The select committee of one, to whom was referred,

No. 191, S.,

A bill to amend chapter 133, of private and local laws of 1857,



entitled, an act to consolidate and amend the act, to incorporate the city of Kenosha, and the several acts amendatory thereof.

Have had the same under consideration, report it back with an amendment, and request that after the adoption of the amendment it be referred to the Committee on Judiciary.

A. FARR.

The amendment was adopted and said bill was referred to the Committee on Judiciary.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof :

Mr. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 240, A.,

A bill to authorize the improvement of streets in the second ward of the city of Milwaukee, and to authorize the levy of a special tax therefor in said ward.

And has concurred in,

No. 27, S.,

A bill to appropriate to William P. Stowe, five hundred and twenty-seven dollars and interest.

No. 28, S.,

A bill to amend chapter 22, of the laws of 1875, entitled, "An act to amend chapter 136, laws of 1874, entitled, 'An act for the preservation of fish in Dell Creek.'"

Have amended and adopted as amended,

Jt. Res. No. 5. S.,

Pertaining to a consolidated official Centennial directory for the government of the United States, for the year A. D., 1876.

And present you for signature,

No. 273, A.,

An act to amend chapter 187, general laws of 1875, entitled, an act to amend chapter 59, general laws of 1873, entitled, an act to revise the charter of the city of Prairie du Chien.

No. 148, A.,

An act to amend section 1, of chapter 168, of the general laws of 1871, and to regulate the teachers' school month.

No. 63, A.,

An act to legalize the official acts of Robert Goodfellow, as notary public for Brown county.

The same having been signed by the Speaker,

Were signed by the President.

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#### ASSEMBLY MESSAGES CONSIDERED.

No. 240, A.,

Was referred to select committee consisting of Senators Jacobs and Mitchell.

The amendments to,  
Jt. Res. No. 5, S.,  
Were concurred in.

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### RESOLUTIONS CONSIDERED.

Res. No. 44, S.,  
Requesting Railroad Commissioners to furnish information regarding freights.  
Introduced on yester day by Senator Treat.  
The resolution was adopted.  
Jt. Res. No. 19, S.,  
Requesting the Governor to invite the Governors of other States to unite in celebrating the completion of the Fox and Wisconsin River Canal.  
Was referred to the Committee on Internal Improvements.

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### ASSEMBLY BILLS READY FOR A THIRD READING.

No. 137, A.,  
A bill relating to the second county court, of Brown county, and amendatory of sections 4 and 5, of chapter 9, laws of 1875.  
No. 140, A.,  
A bill to amend section 1, of chapter 115, of the general laws of 1874, entitled, an act to authorize the city of Racine to levy a special tax to purchase additional school-grounds.  
No. 111, A.,  
Relating to the publication of delinquent tax-lists.  
Were severally read a third time and concurred in.

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### SENATE BILLS READY FOR A THIRD READING.

No. 23, S.,  
A bill to amend chapter 289, of the general laws of 1873, entitled, "an act to authorize municipal corporations to aid in the construction of railroads."  
No. 113, S.,  
A bill to amend chapter 303, of the laws of Wisconsin, of 1874, entitled, "an act to facilitate the execution of trusts in certain cases."  
No. 128, S.,  
A bill to authorize the Lake Avenue Company to convey its franchise and property.  
No. 133, S.,  
A bill to amend section 3, of chapter 79, of the revised statutes of 1858, entitled "of railroads."

No. 146. S.,

A bill to provide for the more efficient protection from trespassers of certain lands embraced in the grants made by Congress to the State of Wisconsin by acts approved respectively June 3, 1856, and May 5, 1864, and of the timber standing and growing thereon.

No. 159. S.,

A bill relating to the Senate and Assembly journals.

No. 160. S.,

A bill to amend chapter 184, laws of 1875, relating to highways and bridges.

No. 164. S.,

A bill relating to actions for the foreclosure of mortgages.

No. 175. S.,

A bill to legalize certain tax sales in the county of Chippewa.

No. 196. S.,

A bill to amend sections 1 and 2, of chapter 138, of the general laws of 1870, entitled, "an act for the destruction of lynxes, wolves, and wild-cats."

No. 200. S.,

A bill relating to the redemption of lands sold under decree of foreclosure, and amendatory of section 2, of chapter 195, of laws of 1859.

No. 220. S.,

A bill to repeal chapter 112, of the private and local laws of 1859, entitled, "an act to annex a part of the city of Kenosha to the town of Pleasant Prairie."

No. 223. S.,

A bill to amend chapter 45, of the general laws of 1871, entitled, an act to amend section 1, of chapter 53, of the general laws of 1858, entitled, an act for the formation and protection of county agricultural societies.

No. 231. S.,

A bill to amend chapter 109, of the general laws of 1874, entitled, "an act to provide for the proper safe-keeping of the report of the geological survey."

No. 241. S.,

A bill to authorize and empower the School Land Commissioners to extend the time for payment of balance of principal on loan to school district No. 2, town of Richland, county of Richland, and State of Wisconsin.

No. 282. S.,

A bill in relation to the State Library.

No. 283. S.,

A bill declaring certain waters of the Kinnickinnick River, in the town of Lake, Milwaukee county, to be navigable waters.

Were severally read a third time and passed.

No. 12. S.,

A bill to facilitate the artificial propagation and preservation of fish, and appropriating a certain sum of money therein named, for that purpose, and for the purchase of a site for a State hatching-house, and the erection thereof.

Was passed by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Silverthorn, Scott, Tate, Treat, Welch, and Wilmot—32.

Nays—Senator Eastman—1.

No. 129, S.,

A bill to provide compensation for indexing and completing the transcribing of the journals of the Senate and Assembly.

Was passed by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Downs, Eastman, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Silverthorn, Scott, Tate, Treat, Welch, and Wilmot—30.

Jt. Res. No. 14, S.,

Proposing an amendment to section 2, of article 8, of the constitution of this State.

Was adopted by the following vote:

Ayes—Senators Baker, Barden, Barney, Blair, Campbell, H. N. Davis, R. E. Davis, Downs, Eastman, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Potter, Rounds, Ryan, Schuette, Scott, Tate, Treat, Welch, and Wilmot—26.

Nays—Senators Barron, Reed, and Silverthorn—3.

On motion of Senator R. E. Davis,

The vote by which Jt. Res. No. 14, S., was adopted was reconsidered, and the joint resolution was re-committed to Committee on Judiciary.

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## SENATE BILLS ON THEIR ENGROSSMENT.

M. C. No. 12, S.,

To provide fishways at the dams and locks on the Fox River, in the State of Wisconsin.

No. 238, S.,

A bill to amend section 1, of chapter 33, of the general laws of 1874, relating to permanent land-marks.

No. 239, S.,

A bill to amend section 2, of chapter 120, of the general laws of 1862, in relation to county surveyors.

Were severally ordered engrossed for a third reading.

No. 154, S.,

A bill to waive the statutes of limitations and other technical defenses therein named.

Senator Hudd moved "that the bill be re-committed to the Committee on Judiciary, with instructions to confer with the Attorney-General to ascertain whether the limit proposed by the claimant as a compromise be sufficient to protect the interests of the State if acceptable to the legislature."

Senator Welch moved to lay the motion on the table.

The motion prevailed by the following vote:

Ayes—Senators Baker, Barden, Barron, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Farr, Flint, Hathaway, Nevins, Potter, Reed, Schuette, Scott, Tate, Treat, and Welch—19.

Nays—Senators Barney, Blair, Bryant, Cavanagh, Eastman, Hiner, Hudd, Jacobs, McFarland, Mitchell, Rounds, Ryan, and Silverthorn—13.

No. 258, S.,

A bill relating to trespassing on State lands, and for the repeal of chapter 21, of the general laws of 1871, entitled, "an act to consolidate and amend the laws relating to trespassing on State lands."

Was postponed till Friday, the 25th inst.

#### ASSEMBLY BILLS ON THEIR THIRD READING.

No. 82, A.,

A bill to make boards of underwriters incorporated by or under the laws of the State of Wisconsin, to establish and maintain a fire patrol.

Was ordered to a third reading.

No. 58, A.,

A bill to amend chapter 240, general laws of 1875, entitled an act authorizing adjoining towns, not exceeding fifteen in number, to form insurance companies.

Senator Flint moved to amend by striking out the word "fifteen" where it occurs in the last line of section 1, of printed bill, and insert in lieu thereof the word "twenty."

The amendment was adopted, and the bill as thus amended was ordered to a third reading.

Senator Barden moved that the further consideration of bill,

No. 95, A.,

A bill to amend chapter 273, laws of 1874, entitled, an act relating to railroads, express and telegraph companies in the State of Wisconsin, and to repeal other sections and acts named therein,

Be postponed until Wednesday next.

The ayes and nays being called for, the motion was lost by the following vote:

Ayes—Senators Barden, Cavanagh, R. E. Davis, Douglas, Hathaway, Potter, Rounds, Schuette, Treat, and Welch—10.

Nays—Senators Baker, Barney, Barron, Blair, Bryant, Campbell, H. N. Davis, Downs, Eastman, Farr, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Reed, Ryan, Scott, Silverthorn, Tate, and Wilmot—22.

Senator Potter offered the following amendment:

Amend section 3 by adding the following: "Which return shall include the total number of articles of freight moved under each special and general class." The ayes and nays being called for the amendment was lost by the following vote:

Ayes—Senators Barden, Campbell, Cavanagh, R. E. Davis, Douglas, Eastman, Hathaway, Nevins, Potter, Schuette, Treat and Welch—12.

Nays—Senators Baker, Barron, Blair, Bryant, H. N. Davis, Downs, Farr, Flint, Hiner, Hudd, Jacobs, McFarland, Mitchell, Reed, Rounds, Scott, Silverthorn, Tate, and Wilmot—18.

Senator Cambell offered the following amendment:

Amend section 4, by striking out all of said section after the word place, where it occurs in the fourth line thereof, and insert in lieu thereof,

“And no railroad corporation shall charge or receive a larger sum per car-load, from one person than any other shipping from the same place, but this last provision shall not apply to shipments from connecting points.”

The amendment was adopted by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Silverthorn, Tate, Treat, and Wilmot—31.

Nays—0.

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On motion of Senator H. N. Davis,  
The Senate took a recess until 2:30 p. m.

2:30, P. M.

The Senate met, pursuant to adjournment.

The Lieutenant-Governor presiding.

The consideration of,

No. 95, A.,

Was resumed.

Senator H. N. Davis offered the following amendment to section 11:

Amend section 11, by inserting in fifth line after the word “company,” where it last occurs, the words “and the Western Union Railway Company,” and by inserting after the word “company,” in the tenth line of said section, where it first occurs, the words “Western Union Railway Company.”

The amendment was adopted.

Senator Potter offered the following amendment to section 11:

Amend section 11, of the printed bill, by adding after the word, “mentioned,” in the ninth line, the words, “*provided*, that the several railroad companies named in this section, shall not demand or receive a greater or higher rate for the transportation of grain and flour than is now prescribed by section 1, of chapter 334, of the general laws of 1875.”

The amendment was rejected by the following vote:

Ayes—Senators Barden, Barney, Bryant, Campbell, Cavanagh, R. E. Davis, Douglas, Eastman, Hathaway, Nevins, Potter, Rounds, Treat, and Welch—14.

Nays—Senators Baker, Barron, Blair, H. N. Davis, Downs, Farr, Flint, Hiner, Hudd, Jacobs, McFarland, Mitchell, Reed, Ryan, Schuette, Scott, Silverthorn, Tate, and Wilmot—19.

Senator Potter offered the following amendment to section 11:

Amend section 11, of the printed bill, by striking out all after the word "provided," where it first occurs, down to the second proviso, and insert the following: The Chicago, Milwaukee & St. Paul Railway, the Chicago & Northwestern Railroad Company, and the Western Union Railroad Company, shall be limited to a compensation per mile for the transportation of any person, with ordinary baggage, not exceeding one hundred pounds in weight, of three cents, and for the transportation of children of the age of twelve years or under, not exceeding one-half of the rate above prescribed.

The amendment was lost by the following vote:

Ayes—Senators Barden, Barney, Campbell, Cavanagh, R. E. Davis, Douglas, Flint, Hathaway, Nevins, Potter, Rounds, Silverthorn, Treat, and Welch—14.

Nays—Senators Baker, Barron, Blair, Bryant, H. N. Davis, Downs, Eastman, Farr, Hiner, Hudd, Jacobs, McFarland, Mitchell, Reed, Ryan, Schuette, Scott, and Wilmot—18.

Senator Potter offered the following amendment to section 12:

Amend section 12 by adding to the end thereof, the following: *Provided*, that no offense committed, and no penalty, forfeiture or damage received or sustained, and no action or right of action which has already accrued, shall be affected by the provisions of this act; but every such right, penalty, forfeiture, and damage, may be enforced, sued for, and recovered, the same as if this act had not been passed; and no prosecution or suit for any offense, or the recovery of any penalty, forfeiture or damages, or the enforcement of any right now pending, shall be affected or abated by the provisions of this act, but the same shall proceed to trial, hearing and final judgment, in the same manner and to the same purpose and effect, as though the statute upon which the same is or may be founded, was continued in full force, virtue and effect, to the time of such trial, hearing, and final judgment.

The amendment was adopted by the following vote:

Ayes—Senators Barden, Barney, Barron, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Flint, Hathaway, Nevins, Potter, Schuette, Scott, Treat, and Welch—17.

Nays—Senators Baker, Blair, Downs, Eastman, Farr, Hiner, Hudd, Jacobs, McFarland, Mitchell, Reed, Rounds, Ryan, Silverthorn, and Wilmot—15.

Senator Barron moved to reconsider the vote by which amendment to section 12, offered by Senator Potter, was adopted.

The motion prevailed.

The amendment offered by Senator Potter was then rejected by the following vote:

Ayes—Senators Barden, Campbell, Cavanagh, R. E. Davis, Douglas, Flint, Hathaway, Nevins, Potter, Treat, and Welch—11.

Nays—Senators Baker, Barney, Barron, Blair, Bryant, H. N. Davis, Downs, Eastman, Farr, Hiner, Hudd, Jacobs, McFarland, Mitchell, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, and Wilmot—21.

Senator Barron offered the following amendment to section 13:

Amend section 13, by adding at the end thereof the following words: "or any court or courts of the United States."

The amendment was adopted.

Senator Welch offered the following amendment to section 4:

Amend section 4, by adding thereto; "and the gross sum which is charged as freight upon any car load between points in the State of Wisconsin shall not in any case be more than 25 per cent. greater than is charged for the same distance by the same company on freights to or from competing points."

The amendment was lost.

The bill was then ordered a third reading, by the following vote:

Ayes—Senators Baker, Barney, Barron, Blair, Campbell, H. N. Davis, Downs, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, and Wilmot—23.

Nays—Senators Barden, Bryant, Cavanagh, R. E. Davis, Douglas, Eastman, Potter, Treat, and Welch—9.

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## REPORTS OF COMMITTEES.

The Committee on Enrolled Bills have examined and find correctly enrolled the following bills:

No. 120, S.,

A bill to codify, consolidate and amend the act to incorporate the city of Appleton, and the several acts amendatory thereof.

R. J. FLINT,  
*Chairman.*

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## LEAVES OF ABSENCE.

Leave was granted,

To Senator Tate, until Wednesday evening.

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On motion of Senator H. N. Davis,  
The Senate adjourned.



SATURDAY, FEBRUARY 19, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

The roll was called and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Silverthorn, Treat, Welch, and Wilmot.

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#### LEAVES OF ABSENCE.

Leave of absence was granted to Senators Wilmot, Ryan, and Jacobs, until Wednesday evening.

To Senators Schuette and Scott, until Tuesday evening.

Senator R. E. Davis moved that when the Senate do adjourn, it adjourn until Wednesday morning.

The motion prevailed.

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#### COMMUNICATION.

The President presented the following communication from the Railroad Commissioners:

OFFICE OF RAILROAD COMMISSIONERS,  
*MADISON, February 19, 1876.*

HON. C. D. PARKER,

*Lieut.-Governor and President of the Senate:*

SIR:—We have the honor, in further compliance with Resolution 37, S., to transmit herewith, for the use of the honorable Senate, the local freight tariffs now in force on the following railroads in the State of Minnesota, to wit: The St. Paul and Sioux City, and

Sioux City and St. Paul Railroad, the St. Paul and Pacific Railroad, and the Iowa and Minnesota, Iowa and Dakota, Hastings and Dakota, and River Division of the Chicago, Milwaukee and St. Paul Railway, and respectfully request that the same be presented.

Very respectfully,

JOHN W. HOYT,  
JOS. H. OSBORN,  
*Railroad Commissioners.*

The communication and accompanying documents were referred to a select committee, consisting of Senators Barron, R. E. Davis, and Potter.

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On motion of Senator H. N. Davis,

No. 95, A.,

A bill to amend chapter 273, laws of 1874, entitled, an act relating to railroads, express and telegraph companies in the State of Wisconsin, and to repeal other sections and acts named therein,

Was taken up at this time.

Senator Potter, by unanimous consent, offered the following amendment:

Amend by adding to the end of the bill, the following:

Section 14. The commissioner appointed under the provisions of this act shall receive for his services the sum of three thousand dollars, per annum, payable monthly, at the end of each month, and three dollars per day for traveling expenses, for each and every day actually traveled in the performance of the duties hereby required. He shall be furnished with an office, furniture and stationery, and necessary books and maps, at the expense of the State. And the said commissioner is hereby authorized and empowered to employ a clerk at an annual salary of twelve hundred dollars, payable at the end of each month. The office of said commissioner shall be kept at Madison, and all sums of money authorized to be paid by this act, out of the State Treasury, shall be paid only on the order of the Governor; *provided*, that the total sums of money to be expended by said commissioner, for office rent, furniture, and stationery shall in no case exceed the total sum of eight hundred dollars per annum.

Section 15. This act shall be in force from and after its passage, and publication.

The amendment was adopted.

Senator Farr, by unanimous consent, offered the following amendment:

Add after the word "shall," in the seventh line of section 11, the word "also."

The amendment was adopted.

Senator Barron, by unanimous consent, offered the following amendment:

Amend section 1, by inserting in the third line of the printed

bill between the words, "years," and "and," the following, "from the fifteenth day of February."

Amend section 1, by inserting after the word, "qualified," in the fifth line thereof, printed bill, the following:

And the nomination of railroad commissioner shall hereafter be sent to the Senate, by the Governor during the month of January, immediately preceding the beginning of such commissioner's term of office.

The amendment was adopted.

The bill was then read a third time and concurred in by the following vote:

Ayes—Senators Baker, Barney, Barron, Blair, Campbell, H. N. Davis, Downs, Farr, Flint, Hathaway, Hiner, Jacobs, McFarland, Mitchell, Nevins, Reed, Rounds, Ryan, Silverthorn, and Wilmot—20.

Nays—Senators Barden, Cavanagh, R. E. Davis, Douglas, Potter, Treat, and Welch—7.

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### RESOLUTIONS INTRODUCED.

By Senator Barron:

Jt. Res. No. 20, S.,

*Resolved by the Senate, the Assembly concurring,* That the Superintendent of Public Property is hereby instructed and directed to send to each member of the present Senate, and of the present Assembly, at the expense of the State, as soon as issued, one copy of the Journal of Proceedings of the said session of each House, one copy of the Governor's Message and accompanying documents, laid before this Legislature, and one copy of the laws of Wisconsin of 1876.

The rules were suspended, and the resolution was referred to a select committee consisting of Senators Barron and Potter.

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 204, A.,

A bill to legalize and confirm a certain mortgage therein named.

No. 384, A.,

A bill to incorporate the city of Platteville.

And has concurred in,

No. 103, S.,

A bill to appropriate a sum of money therein named to the Industrial School for Boys, for the purpose of introducing the manufacture of boots and shoes.

No. 49, S.,

A bill relating to registrations of electors, and amendatory of section 1, of chapter 232, of the general laws of 1875.

No. 60, S.,

A bill to authorize the Secretary of State to order the binding of the report of the State Superintendent of Public Instruction.

No. 92, S.,

A bill to authorize the taking of fish in the public waters of the State for the purpose of artificial propagation.

No. 101, S.,

A bill to amend section 1, and repeal section 7, of chapter 146, of the general laws of 1872, entitled, an act to authorize the organization of corporations for other than manufacturing, mercantile, insurance, banking, transportation, or trading purposes.

No. 39, S.,

A bill to appropriate to Conrad Krez a sum of money therein named.

No. 202, S.,

A bill to amend section 112, chapter 119, laws of 1872, entitled, an act in relation to railroads and the organization of railroad companies.

And return you for signature,

Jt. Res. No. 18, S.,

Requesting the establishment of a signal station at Madison, Wisconsin.

Jt. Res. No. 15, S.,

Instructing the Attorney-General to commence suit for the recovery of State money.

No. 52, S.,

An act to amend section 4, of chapter 430, of the private and local laws of 1868, entitled, an act to incorporate the Apple River Log Driving Company.

No. 47, S.,

An act to provide for the hearing and decision of motions, and the making of orders in certain cases in civil actions.

No. 48, S.,

An act to provide for the appointment of phonographic reporters for the circuit court of Oconto county.

No 36, S.,

An act to amend section 1, of chapter 77, of the laws of Wisconsin of 1875, entitled, "an act to amend chapter 96, of the revised statutes, entitled, 'of the powers of the circuit court over the estate of infants, insane persons, and habitual drunkards.'"

No. 263, S.,

An act to regulate the times of holding the circuit court in Dane county.

No. 120, S.,

An act to codify, consolidate, and amend the act to incorporate the city of Appleton, and the several acts amendatory thereof.

The same having been signed by the Speaker,

Said acts were signed by the President.

## ASSEMBLY MESSAGE CONSIDERED.

On motion of Senator Hathaway,  
The rules were suspended; and,  
No. 384, A.,  
Was read a third time and concurred in.  
No. 204, A.,  
Was referred to the Committee on Judiciary.

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## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to return to you, as requested,  
No. 57, A.,  
A bill to allow compensation to clerks of the school districts of  
the State.  
Senator Farr moved that the vote by which the Senate refused to  
concur in No. 57, A., be reconsidered.  
The motion prevailed.  
The bill was then referred to the Committee on Town and County  
Organization.

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## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly  
has adopted, and asks the concurrence of the Senate in,  
Jt. Res. No. 16, A.,  
Granting the use of the Senate and Assembly chambers for a  
poor man's leap-year Centennial party, Tuesday evening, February  
22d.  
The question being on the adoption of the resolution,  
Senator Bryant offered the following amendment:  
Amend by striking out the word "Tuesday," 22d, and insert-  
ing in lieu thereof the word "Friday," the 25th.  
The amendment was lost.  
Senator Barron offered the following amendment:  
Amended by striking out the words "Senate chamber."  
Senator Barden moved to lay the amendment on the table.  
Which motion was lost, and the amendment was rejected.  
Senator Potter moved to reconsider the vote by which the Senate  
refused to adopt the amendment offered by Senator Bryant.  
The motion prevailed,  
And the amendment offered by Senator Bryant was then adopted.  
Senator Barron offered the following amendment:  
Amend by striking out the words "of Madison," and insert "of  
Wisconsin."

The amendment was adopted.

The resolution was then adopted by the following vote:

Ayes—Senators Baker, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Farr, Hiner, Mitchell Nevins, Potter, Reed, Rounds, Silverthorn, and Welch—15.

Nays—Senators Barden, Barney, Barron, Blair, Downs, Flint, and Hathaway—7.

### REPORTS OF COMMITTEES.

The Committee on Engrossed Bills have examined and find correctly engrossed the following bills:

No. 238, S.,

A bill to amend section 1, of chapter 33, of the general laws of 1874, relating to permanent land marks.

No. 239, S.,

A bill to amend section 2, of chapter 120, of the general laws of 1862, in relation to county surveyors.

No. 243, S.,

A bill to cure all the defects and irregularities in the proceedings relative to the re-organization into a joint-stock company by the Waukesha County Agricultural Society.

M. C. No. 12, S.,

Memorial to provide fish-ways on the dams and locks, on the Fox River, in the State of Wisconsin.

D. E. WELCH,  
*Chairman.*

The Committee on Enrolled Bills have examined and find correctly enrolled the following bills:

No. 17, S.,

An act to appropriate to the Institute for the Education of the Deaf and Dumb, a sum of money therein named, for the payment of the current expenses for the year ending March 1, 1877, and for permanent improvements.

No. 33, S.,

An act to appropriate a sum of money therein named for the payment of pensions to soldiers' orphans, as provided in chapter 72, of laws of 1874.

No. 53, S.,

An act to appropriate to Fred. A. Dennett, and R. M. Strong, each the sum of \$50.

No. 31, S.,

An act relating to wills proved and allowed in any other of the United States, or the Territories thereof.

No. 16, S.,

An act to appropriate a sum of money therein named for the use of the Institution for the Education of the Blind, for the current expenses for the year ending March 1, 1877.

No. 19, S.,

An act to appropriate a sum of money therein named for the use of the Industrial School for Boys, for the payment of current expenses for the year ending March 1, 1877, for the payment of indebtedness and to complete the barn.

No. 62, S.,

An act relating to the preservation of fish in Silver Lake, and Fish Lake and the waters connecting them, in the county of Wau-shara.

No. 34, S.,

An act to appropriate a sum of money therein named for the use of the State Prison, for the payment of current expenses for the year ending March 1, 1877.

R. J. FLINT,  
*Chairman.*

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The Committee on Enrolled Bills have presented the following bills to his excellency, the Governor, for signature:

No. 52, S.,

An act to amend section 4, chapter 430, private and local laws 1868, entitled, an act to incorporate the Apple River Log-Driving Company.

Jt. Res. No. 15, S.,

Joint Resolution instructing the Attorney-General to commence suit for the recovery of State money.

Jt. Res. No. 18, S.,

Joint Resolution requesting the establishment of a signal station at Madison, Wisconsin.

No. 120, S.,

An act to codify, consolidate, and amend the act to incorporate the city of Appleton, and the several acts amendatory thereof.

R. J. FLINT,  
*Chairman.*

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The Committee on Enrolled Bills has presented the following to his excellency, the Governor, for signature:

M. C. No. 2, S.,

For increased mail-facilities, in the counties of Green Lake and Waushara.

M. C. No. 1, S.,

For the establishment of a daily mail-route between Marine Mills, Washington county, Minnesota, via Farmington Center, to Osceola Mills, Polk county, Wisconsin.

No. 2, S.,

A bill to change and prescribe the times for holding the terms of the circuit court for the county of Wood, in the seventh judicial circuit.

No. 13, S.

A bill to lay out and establish a State road from Wausau to Shawano.

R. J. FLINT,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,  
No. 142, S.,

A bill to amend chapter 148, of the general laws of 1872, entitled, "an act to amend chapter 130, of the general laws of 1868, entitled, 'an act to provide for the assessment of property for taxation and the levy of taxes thereon.' "

Has had the same under consideration, and instruct me to report it back with amendment, and the recommendation that it pass when so amended,

Senator Potter dissenting.

H. D. BARRON,  
*Chairman.*

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The Joint Committee on Charitable and Penal Institutions, to which was referred,

No. 77, S.,

A bill to appropriate to Wisconsin Seamen's Friend Society, at Milwaukee.

No. 78, S.,

A bill to appropriate to the St. Mary's Hospital, of Milwaukee, a sum of money therein named.

No. 79, S.,

A bill to appropriate to the Passavant Hospital, of Milwaukee, a sum of money therein named.

No. 85, S.,

A bill to appropriate to the Milwaukee Hospital, of Milwaukee, a sum of money therein named.

Have had the same under consideration and have instructed me to report the bills back with a recommendation that they be indefinitely postponed.

H. N. DAVIS,  
*Chairman.*

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On motion of Senator Mitchell,

The bills were referred to a select committee of one, consisting of Senator Mitchell.

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The Committee on Incorporations have had under consideration  
No. 189, S.,

"A bill to incorporate the Firemen's Association, of the city of Menasha."

And instructed me to report the same back with amendments, and recommend its passage when so amended.

R. H. BAKER,  
*Acting Chairman.*



## ASSEMBLY BILLS READY FOR THEIR THIRD READING.

No. 58, A.,

A bill to amend chapter 240, general laws of 1875, entitled, "an act authorizing adjoining towns, not exceeding fifteen in number, to form insurance companies."

Was referred to a select committee, consisting of Senators R. E. Davis, Barden, and Barney.

No. 82, S.,

A bill to make boards of underwriters, incorporated by or under the laws of the State of Wisconsin, to establish and maintain a fire patrol.

Was read a third time and concurred in.

On motion of Senator Potter,  
The Senate adjourned.

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WEDNESDAY, FEBRUARY 23, 1876.

10 O'CLOCK, A. M.

The Senate met pursuant to adjournment.

The Lieutenant-Governor presiding.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, McFarland, Potter, Rounds, Scott, Silverthorn, Tate, Treat, and Welch.

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MEMORIALS PRESENTED AND REFERRED.

By Senator Downs :

Mem. No. 162, S.,

Of Rev. Michael Heiss, John Wallace, and 75 other residents, of Richland county, against the taxation of church property.

To Committee on State Affairs.

By Senator Barden :

Mem. No. 163, S.,

Of citizens of Portage, Wisconsin, asking for an amendment to the city charter, providing for the election of marshal by the people.

To select committee, consisting of Senator Barden.

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RESOLUTIONS INTRODUCED.

By Senator Rounds:

Res. No. 45, S.,

Requesting the committee, to whom was referred so much of the

Governor's message as relates to State lands, to inquire of the commissioners of school, university, swamp, and overflowed lands in regard to the trespass on the same.

*Resolved*, That the Committee on Public Lands, to whom was referred so much of the Governor's message as relates to the protection of State lands, be requested to ascertain from the office of the Commissioners of School and University Lands, without delay, the amount that has been collected from trespass during the year 1875, on the school, university, swamp, and overflowed lands, belonging to the State, the counties from which said trespass-money has been collected, and the sum collected in each county.

On motion of Senator Barron,

The rules were suspended, and the resolution was adopted.

By Senator Farr:

Res. No. 46, S.,

Directing the Committee on Finance to investigate certain vouchers.

*Resolved*. That the Committee on Finance, to which was referred a communication from the State Treasurer, in answer to Res. No. 8, S. "requesting the State Treasurer to furnish a statement of the receipts and disbursements of the treasury on the various funds, between the 30th day of September, 1875, and the 1st day of January, 1876, and the balances belonging to the different funds on the day last named," be and is hereby directed to examine said communication and vouchers in detail, and report at an early day.

The resolution lies over.

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof :

Mr. PRESIDENT:—I am directed to present you for signature,

No. 39, A.,

An act to repeal chapter 153, of the general laws of 1867, entitled, an act to amend section 78, of chapter 15, of the revised statutes, entitled, of towns and town officers, powers and duties of towns.

No. 227, A.,

An act to repeal subdivision 6, of section 8, of chapter 12, of chapter 501, of the private and local laws of 1868, entitled, an act to consolidate and amend an act to revise, consolidate, and amend the act to incorporate the city of Oshkosh, and the several acts amendatory thereof, approved March 22, 1861, and to amend an act to revise, consolidate, and amend the act in relation to the public schools in the city of Oshkosh, and the several acts amendatory thereof, approved April 9, 1866, approved March 6, 1868.

No. 71, A.,

An act relating to the charter of the city of Sheboygan, and to enable the city of Sheboygan to construct works for the supply of water from an artesian well; to manage and regulate the same: to dispose of water from said well; to appropriate the proceeds of such sales, and to improve the public parks.

No. 131, A.,

An act to extend the time for proving and filing claims against the Wisconsin Railroad Farm-Mortgage Land Company.

No. 111, A.,

An act to amend chapter 47, of the general laws of 1874, in relation to the publication of delinquent tax-lists.

No. 110, A.,

An act to legalize the acts of Wm. H. Harvey, as notary public in taking and certifying to acknowledgments of deeds and other instruments.

No. 140, A.,

An act to amend section 1, of chapter 115, of the general laws of 1874, entitled, an act to authorize the city of Racine to levy a special tax, to purchase additional school grounds.

No. 51, A.,

An act to legalize the laying out of a State road from Chippewa Falls, in Chippewa county, to Augusta, in the town of Bridge Creek, in Eau Claire county.

No. 31, A.,

An act to compel the clerks of every town, city, and village, and the county clerk of every county in this State, to carry out the provisions of chapter 150, of the general laws of 1852, an act entitled, an act to provide for the collection of statistics from towns, villages, and cities, showing the amount of taxes raised therein.

Which have been signed by the Speaker.

Said acts were signed by the President.

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk, thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has concurred in,

No. 59, S.,

A bill to amend chapter 222, of the laws of 1862, entitled, an act to incorporate the Milwaukee Musical Society, approved April 5, 1852.

And has agreed to, and concurred in Senate amendments to,

No. 95, A.,

A bill to amend chapter 273, of the laws of 1874, entitled, an act relating to railroads, express, and telegraph companies, in the State of Wisconsin, and to repeal other sections and acts named therein.

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### REPORTS OF COMMITTEES.

The Committee on Engrossed Bills have examined and find correctly engrossed the following bills:

No. 145, S.,

A bill to amend chapter 46, of the general laws of 1869, entitled, "an act to protect the lands, and timber thereon, granted to the St. Croix & Lake Superior Railroad Company."

D. E. WELCH,  
*Chairman.*

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The Joint Committee on Claims to which was referred,

No. 149, S.,

A bill relating to the preparation, publication, and distribution of the final report of the geological survey, and to appropriate a sum of money therein named.

Report the same back to the Senate, and recommend that it do pass.

FRANCIS CAMPBELL,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,

No. 158, S.,

A bill to establish a municipal court in the city of Wausau.

Has had the same under consideration and instructed me to report it back with amendment, and the recommendation that it pass when so amended.

H. D. BARRON,  
*Chairman.*

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The Committee on Internal Improvements, to whom was referred bill

No. 192, S.,

A bill to authorize the city of La Crosse to build and maintain a bridge across the Mississippi River.

No. 195, S.,

A bill to amend chapter 230, of the laws of 1873, entitled, "an act authorizing the construction of a levee along the Wisconsin River, in the counties of Columbia and Sauk."

Have had the same under consideration, and report the same back to the Senate, and recommend that they do pass.

J. B. TREAT,  
*Chairman.*

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#### REPORTS OF SELECT COMMITTEES.

The special committee, to whom was referred Senate bill

No. 270, S.,

Have had the same under consideration, and report the same back, and recommend its reference to the Committee on Claims.

G. E. BRYANT,  
*Chairman.*

So referred.

The select committee to whom was referred,

No. 227, S.,

A bill to revise, consolidate, and amend the charter of the city of La Crosse, approved February 19, 1869, and the several acts amendatory thereof.

Have had the same under consideration, and report it back by substitute, and recommend the passage of the substitute.

S. L. NEVINS,

*Committee.*

On motion of Senator Campbell,

The rules were suspended, and the bill was passed.

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#### SENATE BILLS READY FOR A THIRD READING.

No. 143, S.,

A bill to amend chapter 176, of the revised statutes, entitled, "of arrests."

No. 145, S.,

A bill to amend chapter 46, of the general laws of 1869, entitled, "an act to protect the lands, and timber thereon, granted to the St. Croix & Lake Superior Railroad Company."

No. 238, S.,

A bill to amend section 1, of chapter 33, of the general laws of 1874, relating to permanent land-marks.

No. 239, S.,

A bill to amend section 2, of chapter 120, of the general laws of 1862, in relation to county surveyors.

No. 243, S.,

A bill to cure all defects and irregularities in the proceedings relative to the reorganization into joint stock company by the Waukesha County Agricultural Society.

M. C. No. 12, S.,

To provide fishways at the dams and locks on the Fox River, in the State of Wisconsin.

Were severally read a third time and passed.

No. 149, S.,

A bill relating to the preparation, publication, and distribution of the final report of the geological survey, and to appropriate a sum of money therein named.

Was read a third time and passed by the following vote:

Ayes—Senators Barden, Barney, Barron, Campbell, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, McFarland, and Welch—13.

Nays—Senators Baker, Cavanagh, Potter, Reed, Rounds, Scott, Tate, and Treat—8.

## SENATE BILLS READY FOR ENGROSSMENT.

No. 192, S.,

A bill to authorize the city of La Crosse, to build and maintain a bridge across the Mississippi River.

No. 195, S.,

A bill to amend chapter 213, of the laws of 1873, entitled, "an act authorizing the construction of a levee along the Wisconsin River, in the counties of Columbia and Sauk," and,

No. 271, S.,

A bill relating to the discontinuance of roads by user, and amendatory of section 85, of chapter 19, of the revised statutes, entitled, of roads and bridges.

Were severally ordered engrossed for a third reading.

The amendments to,

No. 189, S.,

A bill to incorporate the Firemen's Association, of the city of Menasha.

Was adopted, and the bill was ordered engrossed.

The substitute to,

No. 158, S.,

A bill to establish a municipal court in the city of Wausau.

Was adopted.

On motion of Senator Silverthorn,

The rules were suspended, and the bill was read a third time and passed.

No. 224, S.,

A bill for the protection of white-fish in Lake Michigan, and to preserve the purity of its waters, and of the streams entering therein.

With pending amendments,

Was postponed until Tuesday the 29th inst.

The amendment to,

No. 142, S.,

A bill to amend chapter 148, of the general laws of 1872, entitled, "an act to amend chapter 130, of the general laws of 1868, entitled, 'an act to provide for the assessment of property for taxation, and the levy of taxes thereon.'"

Was adopted.

Senator Barron moved to refer the bill to a select committee consisting of Senators Barden, Silverthorn, and H. N. Davis.

Which motion was lost.

On motion of Senator H. N. Davis,

The bill was made the special order for 11 o'clock a. m., Thursday, the 24th inst.

No. 246, S.,

A bill to consolidate and amend the game laws of Wisconsin.

Senator Downs offered the following amendment: amend the last line of section 1, of printed bill, so as to read as follows: "killed between the 4th day of July and the succeeding fifteenth day of November, in each year."

The amendment was adopted.

Senator Potter offered the following amendment:

Amend section 6, by striking out the words "fifteenth day of December, and first day of October," and insert in lieu thereof the words, "first day of January and fifteenth day of August," respectively.

Pending the consideration of the amendment, the bill was, on motion of Senator Barron, postponed until Friday, the 25th.

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On motion of Senator Potter,  
The Senate adjourned.

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THURSDAY, FEBRUARY 24, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

Prayer by the Rev. L. Y. Hays.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cayanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Jacobs, McFarland, Mitchell, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot.

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#### LEAVES OF ABSENCE.

Leave was granted to Senator Hudd until Monday evening.

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Senator Flint moved that the Assembly be requested to return for further consideration,

No. 22, A.,

A bill to lay out a State road from the city of Chippewa Falls, in Chippewa county, to Medford, in Taylor county, and a road from Westboro, in Taylor county, to intersect the same.

The motion prevailed.

## COMMUNICATIONS.

The President presented the following communication from the mayor of Atlanta, Georgia:

*ATLANTA, GEORGIA, February 1, 1876.*

*To President and Members of Senate of Wisconsin:*

GENTLEMEN:—The representative people of Georgia wish to become acquainted with the representative men of all classes of the great Northwest—a people so noted for their energy, intelligence, progressiveness, liberality, and patriotism, as well as independence and magnanimity. We desire to have a visit from you as of old; to have you mix with us, to see us in our homes, in our public and private places. We wish to extend to you the hospitality of old days, to the extent of our means. With that end in view, an excursion has been organized, to which you are cordially invited, with a request that you extend the invitation to others at your discretion. We offer you a *free ride* from Chattanooga, in Tennessee, to Atlanta, Georgia, (138 miles,) from thence to the following beautiful cities, viz: Augusta (171 miles,) thence to Port Royal (112 miles,) when an opportunity will be given of visiting its splendid harbor, and the United States squadron, now concentrating there, thence to Savannah (79 miles,) thence to Thomasville and Albany (258 miles,) and return. Several other road officials have declared that if the excursionists wished to see more of the State than will be seen by the trip marked out, they will pass them over their roads. Arrangements are being made by which it is expected half-fare tickets will be on sale to Chattanooga from all the larger western places, and our hotels will provide for you at reduced prices.

In passing over the several roads, many of the lofty mountains, (including the greatest curiosity in the South—Stone Mountain,) beautiful rich valleys, fine timber, creeks and rivers, and a portion of the vast mineral regions of North Georgia, and the productive cotton plantations of Middle and Southern Georgia, will be seen. There are no finer plantations in the South than are found around Thomasville, and its citizens have pledged themselves to give all an opportunity to see the mode of preparing the ground, the raising and preparing the cotton for market, as well as a full insight into the homes of the colored folks who do the work, with all the novel surroundings incident to their every-day life. We frankly admit that our chief object in inviting representative citizens of the liberal West is, that they may see and examine for themselves not only our vast resources, but more especially to have them the better understand the friendly feeling existing among our people toward our Northern brethren, with the further hope of setting at rest forever the clamors so often raised, and kept alive by misrepresentations made because of a want of a knowledge of the true facts.

Ours is now a common country—our interests are one; we buy your produce, you our cotton, &c.: why longer remain separate? We are satisfied your report will be such as to remove all doubts, and do much toward harmonizing the sections.



Invitations to participate in this excursion have been extended to all the cities and leading places of the Northwest. Already many have signified their intention of coming to visit us.

Parties accepting this invitation, to be recognized by the railroad conductors, must be provided with a credential signed by the mayor of a city and its seal attached, or the official certificate of any railroad president. The visitors are expected to be in Atlanta by the 15th of March, as on that day or the day following the party will leave Atlanta for the several cities above marked out to be visited. You will please advise the committee on invitation, at the earliest day possible, of your acceptance or rejection of this invitation—if the former, the number that will probably come—that proper arrangements may be made.

Respectfully,

C. C. HAMMOCK,  
*Mayor of Atlanta, Ga.*

The communication was referred to the Committee on Federal Relations, and ordered spread on the journal.

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#### MEMORIALS PRESENTED AND REFERRED.

By Senator Barron:

Mem. No. 164, S.,

Of Otis Hoyt, M. D., L. P. Wetherby, John Comstock, and others, for an additional appropriation for the State Historical Society.  
To Committee on Claims.

By Senator Treat:

Mem. No. 165, S.,

Of Allen Woodle, E. P. Treat, A. Ludlow, and 54 others, against the taxation of church property, schools, and charitable institutions.

To Committee on State Affairs.

By Senator Baker:

Mem. No. 166, S.,

Of Peter Meyer and 78 others, citizens of Racine county, against the taxation of church property.

To Committee on State Affairs.

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#### REPORTS OF COMMITTEES.

The Committee on Judiciary, to which was referred,  
No. 260, S.,

A bill to amend section 3, chapter 3, of the general laws of 1871, entitled, "an act to fix the time of holding court in the 11th judicial circuit, and to provide for the appointment of special terms of court and to dispense with grand and petit jurors at certain terms."

No. 177, S.,

A bill to improve the south branch of the Eau Claire River and its tributaries, in Clark county.

No. 178, S.,

A bill to improve the north branch of the Eau Claire River, in the county of Clark.

No. 267, S.,

A bill relating to actions on undertakings given on appeals to the Supreme Court.

No. 268, S.,

A bill to require village and city authorities to construct vaults or structures for temporary keeping of dead bodies before interment, in certain cases.

No. 226, S.,

A bill to attach Lincoln county to the eighth congressional district.

No. 261, S.,

A bill to amend sections 1, 2, and 3, of chapter 299, of the laws of Wisconsin of 1875, entitled, "an act to prescribe the duties and regulate the fees of the lumber inspector of the fourth district."

No. 266, S.,

A bill to detach certain territory from the city of Fort Howard, and attach the same to the town of Ashwaubanon.

Mem. No. 108, S.,

Petition of C. L. A. Tank, F. R. Schettler, John Bennett, Van Buren Bromley, and others, for a law setting off part of the present territory of the city of Fort Howard, and annexing same to the town of Ashwaubanon, Brown county.

Has had the same under consideration, and instructed me to report said bills and memorial back, and recommend that the bills herein mentioned do pass.

Senator Potter dissenting so far as relates to No. 177, S., and No. 178, S.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,

No. 257, S.,

A bill in relation to the boundaries of the town of Baldwin, in St. Croix county.

Has had the same under consideration and instructed me to report it back without recommendation.

H. D. BARRON,  
*Chairman.*

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On motion of Senator Barron, the bill was referred to a select committee of one, consisting of Senator Barron.

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The Committee on Incorporations to whom was referred bill

No. 224, A.,

A bill to revise, consolidate and amend an act, entitled, an act to incorporate the city of Waupaca, approved March 5, 1875.

No. 72, A.,

A bill to repeal section 7, of chapter 166, general laws 1872, entitled, an act to organize the paid fire department of any city within the State of Wisconsin into a relief association.

With recommendation that they do pass.

No. 225, S.,

A bill to amend section 4, of chapter 342, of the private and local laws of 1863, entitled, "an act to incorporate the Albion Academy and Normal Institute."

Without recommendation.

THOMAS B. SCOTT,

*Chairman.*

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The Committee on Enrolled Bills have examined and find correctly enrolled the following bills:

No. 5, S.,

An act relating to a consolidated official Centennial directory of the general, and several State governments of the United States.

No. 103, S.,

An act to appropriate a sum of money therein named to the Industrial School for Boys, for the purpose of introducing the manufacture of boots and shoes.

No. 92, S.,

An act to authorize the taking of fish from the public waters of the State for the purpose of artificial propagation.

No. 27, S.,

An act to appropriate to William B. Stowe, the sum of \$527 and interest from March 7, 1863.

No. 28, S.,

An act to amend chapter 22, of the laws of 1875, entitled, "An act to amend chapter 36, laws of 1874, entitled, 'An act for the preservation of fish in Dell Creek.'"

No. 202, S.,

An act to amend section 12, of chapter 119, laws of 1872, entitled, "an act in relation to railroads, and the organization of railroad companies."

No. 59, S.,

An act to amend chapter 222, laws of 1852, entitled, "an act to incorporate the Milwaukee Musical Society," approved April 5, 1852.

R. J. FLINT,

*Chairman.*

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The Committee on Town and County Organization, to whom was re-committed,

No. 61, A.,

A bill for the division of the counties of Clark and Marathon, and the erection of the county of Langlade.

Have had the same under consideration, and have instructed me to report it back, with the recommendation that it pass.

W. P. ROUNDS,  
*Chairman.*

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The Committee on Education, to which was referred,  
No. 121, S.,

A bill to amend chapter 80, of the general laws of 1872, entitled, "an act authorizing cities and villages to establish free public libraries and reading rooms."

Report the same back, with the recommendation that it do pass.

R. E. DAVIS,  
*Acting Chairman.*

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The Committee on Roads, Bridges, and Ferries, to whom was referred,

No. 161, S.,

A bill to lay out and establish a State road from Viroqua to Elroy.

Has had the same under consideration, and report the same back, with the recommendation that it do pass.

JOHN SCHUETTE,  
*Chairman.*

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#### REPORTS OF SELECT COMMITTEES.

The special committee to which was referred,

No. 216, S.,

A bill relating to the city of Portage, and amendatory of chapter 437, of the private and local laws of 1868.

Respectfully reports that the bill has been under consideration and reports the same back to the Senate, with sundry amendments in the form of a substitute, with the recommendation that it do pass as amended.

L. W. BARDEN,  
*Committee.*

On motion of Senator Barden,

The rules were suspended and the bill was read a third time and passed, and the title was amended so as to read as follows:

"A bill relating to the city of Portage, and codifying, consolidating, and amending the act of incorporation, and all acts amendatory thereof."

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The select committee to whom was referred,

No. 70, S.,

A bill to fix the time of holding the terms of the several circuit courts in the seventh judicial circuit.

Have had the same under consideration and recommend the passage of the accompanying substitute.

THOMAS B. SCOTT,  
*Chairman.*

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The special committee of one to whom was referred,  
No. 276, S.,

A bill to found the Wisconsin Home for the Incurable Insane, ask leave to report a substitute for the same, and ask that the substitute be printed and referred to the Committee on Charitable and Penal Institutions.

W. W. REED,  
*Committee.*

So ordered.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 54, A.,

A bill to amend section 18, chapter 165, revised statutes, of the State of Wisconsin, entitled, "of offenses against property."

No. 55, A.,

A bill to authorize the second ward of the city of Green Bay, and the second ward of the city of Fort Howard, to rebuild, repair, and maintain, the middle bridge across the River between Green Bay and Fort Howard.

No. 97, A.,

A bill relating to justices of the peace and constables in the city of Milwaukee, and to repeal chapter 332, of the laws of 1875.

No. 135, A.,

A bill to repeal chapter 175, of the laws of Wisconsin, 1875, "an act to authorize the county board of supervisors of Milwaukee county to increase the salary of the district attorney of said county for the term commencing the 4th day of January, 1875, to enable him to employ an assistant."

No. 149, A.,

A bill to provide for the repair and maintenance by the city of Green Bay, of a certain bridge belonging to said city, between said city and the city of Fort Howard, and to authorize the levy of a tax for the purpose upon the property in the second ward of the city of Fort Howard.

No. 154, A.,

A bill to legalize certain irregularities in certificates of tax-sales.

No. 412, A.,

A bill to revise, consolidate, and amend the charter of the city

of Racine, approved August 8, 1848, and the several acts amendatory thereof.

No. 202, A.,

A bill relating to the invention and encouragement of steam or other mechanical agents on highways, and amendatory of chapter 134, laws of 1875.

No. 207, A.,

A bill authorizing the county board of supervisors, of Grant county, to levy tax on the town of Hickory Grove, in said county, to correct an error in tax levy of 1872.

No. 208, A.,

A bill to amend an act, entitled an act to further provide for the publication of the decisions of the Supreme Court, approved March 17, 1870.

No. 282, A.,

A bill to amend section 3, of chapter 15, of the revised statutes, entitled, of towns and town officers.

No. 363, A.,

A bill to grant to Albert B. Stevenson the right to build and maintain a pier in the waters of Green Bay.

No. 390, A.,

A bill to repeal section 2, of chapter 215, private and local laws of 1870, entitled, "an act to amend section 2, of chapter 278, of the private and local laws of 1854, entitled, 'an act to incorporate the Germantown Farmers' Mutual Insurance Company,'" and all acts amendatory of said section.

And has concurred in,

No. 58, S.,

A bill to amend section 1, of chapter 46, of the general laws of 1869, entitled, "an act to protect the lands and timber thereon, granted to the St. Croix & Lake Superior Railroad Company."

No. 274, S.,

A bill amendatory of chapter 72, of the private and local laws of 1858, relating to the city of Ripon.

No. 227, S.,

A bill to revise, consolidate and amend the charter of the city of La Crosse, approved February 19, 1869, and the several acts amendatory thereof.

No. 76, S.,

A bill to authorize the construction of a pontoon bridge or railway ferry from some feasible point in Buffalo county, State of Wisconsin, to some feasible point in the State of Minnesota.

No. 98, S.,

A bill to amend chapter 46, of the general laws of 1869, entitled, an act to protect the lands and timber thereon, granted to the St. Croix & Lake Superior Railway Company.

No. 3, S.,

A bill to amend an act to incorporate the Mineral Point & Portage City Railroad Company, approved October 13, 1856.

M. C. No. 8, S.,

Memorial to Congress for an increased appropriation for the extension of the signal service.

M. C. No. 10, S.,  
For the establishment of a tri-weekly mail-route from Marquette,  
in Green Lake county, *via* Kingston, to Portage, in Columbia  
county.

And has amended the Senate amendment to,  
Jt. Res. No. 16, A.,  
Granting use of the Senate and Assembly Chamber for a poor  
man's leap-year Centennial party.

And has agreed to the amendment as amended,  
And has passed and asks the concurrence of the Senate in,  
Jt. Res. No. 17, A.,  
Relating to Legislative Manual for employees of the State.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to present you for signature,  
No. 95, A.,

An act to amend chapter 273, of the laws of 1874, entitled, "an  
act relating to railroads, express and telegraph companies in the  
State of Wisconsin," and to repeal other sections and acts named  
therein.

The same having been signed by the Speaker.  
Said act was signed by the President.

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#### ASSEMBLY MESSAGES CONSIDERED.

Nos. 54, 154, 207, and 208, A.,  
Were referred to the Committee on Judiciary.

Nos. 55, 363, and 149, A.,  
Were referred to the Committee on Roads, Bridges, and Ferries.

Nos. 97 and 135, A.,  
Were referred to the Milwaukee Delegation.

No. 202, A.,  
Was referred to the Committee on State Affairs.

No. 282, A.,  
Was referred to the Committee on Town and County Organiza-  
tion.

No. 390, A.,  
Was referred to the Committee on Banks and Banking.

On motion of Senator Baker,  
The rules were suspended and,

No. 412, A.,  
Was read a third time and concurred in.

Senator Welch offered the following amendment to,  
Jt. Res. No. 17, A.,

Amend by adding the words "and six copies to the Chief Clerks

of the Senate and Assembly, and to the Sergeant-at-Arms of the Senate and Assembly."

Senator Baker offered the following amendment to the amendment:

"And one copy to each of the members of the State Board of Charities and Reform."

The amendment to the amendment was adopted, and the amendment as thus amended was then adopted, and the resolution as amended was concurred in.

The amendment to,

Jt. Res. No. 16, A.,

Was concurred in.

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### SENATE RESOLUTIONS CONSIDERED.

Res. No. 46, S.,

Directing the Committee on Finance to investigate certain vouchers.

Introduced on yesterday by Senator Farr.

The resolution was adopted.

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### SENATE BILLS READY FOR ENGROSSMENT.

No. 177, S.,

A bill to improve the south branch of the Eau Claire River and its tributaries, in Clark county.

No. 178, S.,

A bill to improve the north branch of the Eau Claire River in the county of Clark.

Were referred to the Committee on Incorporations.

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### SPECIAL ORDER.

No. 142, S.,

A bill to amend chapter 148, of the general laws of 1872, entitled, "an act to amend chapter 130, of the general laws of 1868, entitled, 'an act to provide for the assessment of property for taxation, and the levy of taxes thereon.'"

Being the special order for this hour, was taken up.

Senator Potter offered the following amendment:

Amend section 1 by striking out, wherever they occur in said



section, the words, "tenth day of April," and insert in place thereof the words, "first day of May."

The amendment was adopted.

Senator Silverthorn offered the following amendment:

Amend section 1 by inserting the word "located" in line 24, of the printed bill, in lieu of the word "cut."

The amendment was lost.

The Senate refused to order the bill engrossed by the following vote:

Ayes—Senators Barron, Bryant, Jacobs, McFarland, and Reed—5.

Nays—Senators Baker, Barden, Barney, Blair, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Potter, Rounds, Ryan, Schuette, Scott, Tate, Treat, Welch, and Wilmot—24.

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#### SENATE BILLS READY FOR ENGROSSMENT.

No. 121, S.,

A bill to amend chapter 86, of the general laws of 1872, entitled, "an act authorizing cities and villages to establish free public libraries and reading rooms."

No. 161, S.,

A bill to lay out and establish a State road from Viroqua to Elroy.

No. 260, S.,

A bill to amend section 3, chapter 3, of the general laws of 1871, entitled, "an act to fix the time of holding court in 11th judicial circuit, and to provide for the appointment of special terms of court and to dispense with grand and petit jurors at certain terms."

No. 261, S.,

A bill to amend sections 1, 2, and 3, of chapter 299, of the laws of Wisconsin of 1875, entitled, "an act to prescribe the duties and regulate the fees of the lumber inspector of the fourth district."

No. 267, S.,

A bill relating to actions on appeals to the Supreme Court.

No. 268, S.,

A bill to require village and city authorities to construct vaults or structures for temporary keeping of dead bodies before interment in certain cases.

Were severally ordered engrossed for a third reading.

No. 225, S.,

A bill to amend section 4, of chapter 342, of the private and local laws of 1863, entitled, an act to incorporate the Albion Academy and Normal Institute.

Was indefinitely postponed.

No. 226, S.,

A bill to attach Lincoln county to the 8th congressional district.

Was referred to a select committee consisting of Senator Scott.

The amendment to,

No. 70, S.,

A bill to fix the time for holding the terms of the several circuit courts in the seventh judicial circuit.

Was adopted.

On motion of Senator Silverthorn,

The rules were suspended, and the bill was read a third time and passed.

No. 224, S.,

A bill for the protection of whitefish in Lake Michigan, and to preserve the purity of its waters and of the streams entering therein.

No. 232, S.,

A bill for the protection of fish in the inland waters of the State.

No. 246, S.,

A bill to consolidate and amend the game laws of Wisconsin.

Were made the special order for Tuesday, the 29th inst.

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#### ASSEMBLY BILLS READY FOR A THIRD READING.

No. 72, A.,

A bill to repeal section 7, of chapter 166, general laws of 1872, entitled "an act to organize the paid fire department of any city within the State of Wisconsin, into a relief association."

No. 224, A.,

A bill to revise, consolidate, and amend an act, entitled, an act to incorporate the city of Waupaca, approved March 5, 1875

Were ordered to a third reading.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has amended, and concurred in as amended,

No. 37, S.,

A bill to appropriate to the State Board of Centennial Managers a sum of money.

And has passed and asks the concurrence of the Senate in,

No. 44, A.,

A bill to incorporate the city of Chippewa Falls.

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#### ASSEMBLY MESSAGE CONSIDERED.

No. 44, A.,

Was referred to the Committee on Incorporations.

The Senate refused to concur in the Assembly amendments to,  
No. 37, S.,

And, on motion of Senator R. E. Davis, a committee of conference was asked for.

The President appointed Senators R. E. Davis, Welch, and Barden as members of the committee on the part of the Senate.

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On motion of Senator Eryant,  
The Senate adjourned.

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FRIDAY, FEBRUARY 25, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

Prayer by the Rev. L. Y. Hays.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Jacobs, McFarland, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot.

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#### LEAVES OF ABSENCE.

Leave of absence was granted.

To the Sergeant-at-Arms, until Tuesday evening.

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#### MEMORIALS PRESENTED AND REFERRED.

By Senator Scott:

Mem. No. 167, S.,

Of J. Dix and 22 other citizens, of Marathon county, asking for the erection of the county of Dixon, as passed in the Assembly.

To Committee on Town and County Organization.

By Senator Hiner:

Mem. No. 168, S.,

Of R. Wilms and 23 other citizens, of Marathon county, asking for the erection of the county of Dixon, as passed by the Assembly.

To Committee on Town and County Organization.

By Senator Hiner:

Mem. No. 169, S.,

Of J. Ringle and 59 other citizens, of Marathon county, asking

for the erection of the county of Dixon, as passed in the Assembly.  
To Committee on Town and County Organization.

By Senator Scott:

Mem. No. 170, S.,

Of Chas. C. Miles and 48 other citizens, of Clark county, asking  
for the erection of the county of Dixon, as passed by the Assembly.

To Committee on Town and County Organization.

By Senator Scott:

Mem. No. 171, S.,

Of Wm. P. Hartford and 16 other citizens, of Clark county, asking  
for the erection of the county of Dixon, as passed in the Assembly.

To Committee on Town and County Organization.

By Senator Scott:

Mem. No. 172, S.,

Of Wm. Welch and 59 other citizens, of Clark county, asking for  
the erection of the county of Dixon, as passed by the Assembly.

To Committee on Town and County Organization.

By Senator Silverthorn:

Mem. No. 173, S.,

Of John Gardiner and 69 other citizens, of Marathon county, asking  
for the erection of the county of Dixon, as passed in the Assembly.

To Committee on Town and County Organization.

By Senator Silverthorn:

Mem. No. 174, S.,

Of P. Stevens and 70 other citizens, of Marathon county, asking  
for the erection of the county of Dixon, as passed by the Assembly.

To Committee on Town and County Organization.

By Senator Barney:

Mem. No. 175, S.,

Of Ed. O. C. Lawrence and 87 other citizens, of Clark county,  
asking for the erection of the county of Dixon, as passed by the Assembly.

To Committee on Town and County Organization.

By Senator Barney:

Mem. No. 176, S.,

Of J. B. Upson and 11 other citizens, of Clark county, asking for  
the erection of the county of Dixon, as passed by the Assembly.

To Committee on Town and County Organization.

By Senator Ryan:

Mem. No. 177, S.,

Of L. Griffith and 10 other citizens, of Clark county, asking for  
the erection of the county of Dixon, as passed in the Assembly.

To Committee on Town and County Organization.

By Senator Ryan:

Mem. No. 178, S.,

Of O. G. Fenton and 12 other citizens, of Clark county, asking

for the erection of the county of Dixon, as passed by the Assembly.

To Committee on Town and County Organization.

By Senator Douglas:

Mem. No. 179, S.,

Of A. Kenbush and 26 tax-payers, of Marathon county, against the erection of county of Dixon.

To Committee on Town and County Organization.

By Senator Potter:

Mem. No. 180, S.,

Of A. S. Rogers and 106 others, citizens of Waushara county, Wisconsin, against the repeal or modification of the "Potter-law."

To Committee on Railroads.

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### REPORTS OF COMMITTEES.

The Committee on Engrossed Bills have examined and find correctly engrossed the following bills:

No. 161, S.,

A bill to lay out and establish a State road from Viroqua to Elroy.

No. 268, S.,

A bill to require village and city authorities to construct vaults, or structures, for temporary keeping of dead bodies before interment in certain cases.

No. 267, S.,

A bill relating to actions on undertakings given on appeal to the Supreme Court.

No. 261, S.,

A bill to amend sections 1, 2, and 3, of chapter 299, of the laws of Wisconsin, of 1875, entitled, an act to prescribe the duties, and regulate the fees, of the lumber inspector of the fourth district.

No. 260, S.,

A bill to amend section 3, of chapter 3, of the general laws of 1871, entitled, an act to fix the time of holding court in the eleventh judicial circuit, and to provide for the appointment of special terms of court, and to dispense with grand and petit jurors at certain times.

No. 195, S.,

A bill to amend chapter 213, of the laws of 1873, entitled, "an act authorizing the construction of a levee along the Wisconsin River, in the counties of Columbia and Sauk."

No. 192, S.,

A bill to authorize the city of La Crosse to build and maintain a bridge across the Mississippi River.

No. 271, S.,

A bill relating to the discontinuance of roads by user, and amendatory of section 85, of chapter 19, of the revised statutes, entitled, of roads and bridges.

No. 189, S.,

A bill to incorporate the Firemen's Association, of the city of Menasha.

D. E. WELCH,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,

No. 191, S.,

A bill to amend chapter 133, of private and local laws of 1857, entitled, "an act to consolidate and amend the act to incorporate the city of Kenosha, and the several acts amendatory thereof."

No. 233, S.,

A bill to submit to the people an amendment to section 23, of article 4, of the constitution of the State of Wisconsin.

No. 247, S.,

A bill to reconstruct the eleventh judicial circuit and fix the time for holding the terms thereof.

No. 279, S.,

A bill to repeal a portion of chapter 156, of the private and local laws of 1869, entitled, an act declaring Balsam Branch, Sucker Lake, and Sucker Branch, in the county of Polk, navigable for the purpose of driving logs, and also to repeal a portion of chapter 430, of the private and local laws of 1868, entitled, an act to incorporate the Apple River Log-Driving Company.

Mem. No. 70, S.,

Petition of Ole Moe, V. B. Kittel, Wm. Folsom, J. L. Bridgman, and others, citizens of Alden, Polk county, asking for the repeal of so much of the Apple River Log-Driving Company's charter, as authorizes the building and maintenance of Sucker Lake dam.

No. 156, S.,

A bill relating to the Supreme Court.

Has had the same under consideration, and instructed me to report back said bills and memorial, and to recommend that No. 191, S., No. 233, S., and No. 279, S., do pass; also to recommend amendments to No. 156, S., and No. 247, S., and that they pass when so amended.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary, to which was referred the communication from the revisers of the statutes, to the Senate of Wisconsin.

Has had the same under consideration, and instructed me to report it back with the accompanying bill,

A bill to amend chapter 203, of the laws of Wisconsin, of 1875, entitled, "an act to provide for the revision of the statutes."

And the recommendation that said bill be printed, and do pass.

H. D. BARRON,  
*Chairman.*

Said bill became No. 291, S.

The Committee on Enrolled Bills have presented to his excellency, the Governor, for signature:

No. 16, S.,

An act to appropriate a sum of money therein named, for the use of the Institution for the Education of the Blind, for the payment of current expenses for the year ending March 1, 1877.

No. 19, S.,

An act appropriating a sum of money therein named, for the use of the Industrial School for Boys, for the payment of current expenses for the year ending March 1, 1877, for the payment of indebtedness, and to complete barn.

No. 34, S.,

An act to appropriate a sum of money therein named for the payment of current expenses at the State Prison for the year ending March 1, 1877.

R. J. FLINT,  
*Chairman.*

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The Committee on Enrolled Bills have presented the following bills to his excellency, the Governor, for signature:

No. 17, S.,

An act to appropriate to the Institute for the Education of the Deaf and Dumb, a sum of money therein named, for the payment of the current expenses for the year ending March 1, 1877, and for permanent improvements.

No. 33, S.,

An act to appropriate a sum of money therein named for the payment of pensions to soldiers' orphans, as provided in chapter 72, of laws of 1874.

No. 53, S.,

An act to appropriate to Fred. A. Dennett, and R. M. Strong, each the sum of \$50.

No. 31, S.,

An act relating to wills proved and allowed in any other of the United States, or the Territories thereof.

R. J. FLINT,  
*Chairman.*

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The Joint Committee on Clams has had under consideration,

No. 251, S.,

A bill to appropriate to the Governor a certain sum of money for a contingent fund.

And have directed me to report the same back without the amendment recommended by the Committee on State Affairs, and recommend that the same do pass without amendment.

No. 162, S.,

A bill in relation to claims against the State, presented to either branch of the legislature.

And have directed me to report the same back to the Senate with the recommendation that it do pass.

No. 139, S.,

A bill to appropriate to P. R. Tierney a sum of money therein named.

And have directed me to report the same back to the Senate with amendment, and recommend that the same do pass when so amended.

No. 15, S.,

A bill making an appropriation to the Northern Wisconsin Agricultural and Mechanical Association.

No. 218, S.,

A bill to appropriate to the Columbus Union Fair and Agricultural Society a sum of money.

And have directed me to report back to the Senate with the recommendation that they be indefinitely postponed.

FRANCIS CAMPBELL,  
*Chairman.*

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The Committee on State Prison have had under consideration,  
No. 237, S.,

A bill to authorize the directors of the Wisconsin State Prison to lease the labor of convicts therein confined.

And report the same back, with amendments, and recommend its passage when so amended. The committee also recommend the printing of the bill as amended.

O. C. HATHAWAY,  
*Chairman.*

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So ordered.

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The Committee on Incorporations, to which was referred,  
No. 177, S.,

A bill to improve the south branch of the Eau Claire River and its tributaries, in Clark county.

No. 178, S.,

A bill to improve the north branch of the Eau Claire River, in the county of Clark.

Have had the same under consideration, and instructed me to report the same back, with recommendation that they do pass.

THOMAS B. SCOTT,  
*Chairman.*

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The Committee on Banks, and Banking, to whom was referred,  
No. 236, S.,

A bill to amend section 1, of chapter 299, of the general laws of 1873, entitled, an act to amend chapter 56, general laws of 1870, entitled, an act to provide for the incorporation and government of fire and inland navigation insurance companies.

No. 269, S.,

A bill to amend section 29, chapter 56, general laws of 1870, entitled, an act to provide for the incorporation and government of fire and inland navigation and insurance companies.



Have had the same under consideration, and directed me to report the same back to the Senate, and recommend that they do pass.

WM. BLAIR,  
*Chairman.*

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The Committee on State Affairs, to whom was referred,  
No. 68, A.,

A bill to authorize counties, towns, cities, and villages, to establish sinking funds for the payment of their bonded indebtedness.

Respectfully report that they have had the same under consideration, and have instructed me to report the same back to the Senate with an amendment, and recommend that it be concurred in when so amended.

L. W. BARDEN,  
*Chairman.*

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The Committee on Agriculture, to whom was referred,  
No. 205, A.,

A bill to authorize the restoration and maintenance of the waters of Brown's Lake, in the town of Burlington, Racine county, to and at their natural flow and level.

Respectfully report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be concurred in.

L. W. BARDEN,  
*Chairman.*

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The Committee on Town and County Organization have had under consideration,

No. 57, A.,

A bill to allow compensation to clerks of the school districts of the State.

Have directed me to report the same back to the Senate, with the recommendation that it be concurred in.

W. P. ROUNDS,  
*Chairman.*

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#### REPORTS OF SELECT COMMITTEES.

The select committee, to which was referred,  
No 221, S.,

A bill to incorporate the city of River Falls.

Has had the same under consideration and report it back to the Senate with amendment, and recommend that when so amended it

pass. And said committee further recommend that said bill as it will read when thus amended be printed:

H. D. BARRON,  
*Committee.*

The rules were suspended and the amendments were adopted, and the bill, as thus amended, was ordered printed.

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The special committee, consisting of the Senators from the 26th, 27th, and 13th, to which was referred,  
No. 215, S.,

A bill to codify and consolidate all laws in relation to town insurance companies.

Report the same back with an amendment, and recommend its passage when so amended.

R. E. DAVIS,  
*Chairman.*

On motion of Senator R. E. Davis, the bill was ordered printed as it will read when amended, and when so printed it was ordered to be referred to the Committee on Judiciary.

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The select committee to whom was referred,  
No. 226, S.,

A bill to attach Lincoln county to the eighth congressional district.

Has had the same under consideration, and report the same back with substitute, and recommend the passage of the substitute, and would also ask that the substitute be printed.

THOS. B. SCOTT,  
*Committee.*

So ordered.

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The special committee of one, to whom was referred,  
No. 26, S.,

Would respectfully report the same back with substitute, and recommend the passage of the substitute, and that the substitute be printed.

W. W. REED,  
*Committee.*

So ordered.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

Mr. PRESIDENT :—I am directed to return you for signature,

No. 17, S.,

An act to appropriate to the Institute for the Education of the Deaf and Dumb, a sum of money therein named, for the payment of current expenses for the year ending March, 1, 1877. and for permanent improvements.

No. 33, S.,

An act to appropriate a sum of money therein named for the payment of pensions to soldiers' orphans, as provided in chapter 72, laws of 1874.

No. 34, S.,

An act to appropriate a sum of money therein named, for the payment of current expenses at the State Prison for the year ending March 1, 1877.

No. 62, S.,

An act relating to the preservation of fish in Silver Lake and Fish Lake, and the waters connecting them, in the county of Waushara.

No. 19, S.,

An act to appropriate a sum of money therein named for the use of the Industrial School for Boys, for the payment of current expenses for the year ending March 1, 1877, for the payment of indebtedness and to complete the barn.

No. 31, S.,

An act relating to wills proved and allowed in any other of the United States or the Territories thereof.

No. 53, S.,

An act to appropriate to Fred A. Dennett and R. M. Strong, each the sum of fifty dollars.

No. 16, S.,

An act to appropriate a sum of money therein named for the use of the Institution for the Education of the Blind, for current expenses for the year ending March 1, 1877.

Said acts having been signed by the Speaker,

Said acts were signed by the President.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to return you as requested,

No. 22, A.,

A bill to lay out a State road from the city of Chippewa Falls, in Chippewa county, to Medford, in Taylor county, and a road from Westboro, in Taylor county, to intersect the same.

And has concurred in the Senate amendment to,

Jt. Res. No. 17, A.,

Relating to Legislative Manual, for employees of the State.

And has concurred in,

No. 216, S.,

A bill relating to the city of Portage, and codifying, consolidat-

ing, and amending the act of incorporation, and all acts amendatory thereof.

No. 70, S.,

A bill to fix the time for holding the terms of the several circuit courts in the 7th judicial circuit.

And has agreed to a committee of conference, on

No. 37, A.,

A bill to appropriate to the State board of Centennial Managers, a sum of money.

And has appointed as such committee, Messrs. Lees, Curtis, and Lawrence, on the part of the Assembly.

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk, thereof:

Mr. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 32, A.,

A bill to authorize the construction and maintenance of a dam across the Little Wolf River, on section 10, township twenty-four, range thirteen east, in Waupaca county.

No. 69, A.,

A bill to amend chapter 142, of laws of 1875, entitled, an act to amend section 3, of chapter 82, general laws of 1870, entitled, an act relating to the preservation of the colors and flags of our late regiments.

No. 152, A.,

A bill to authorize the board of supervisors of Chippewa county to fix the salary of the county superintendent of schools.

No. 156, A.,

A bill to fix the maximum amount of stationery, postage stamps, and newspaper allowance that members of the legislature.

No. 194, A.,

A bill to provide for the recording of the lands of the Wisconsin Railroad Farm-Mortgage Land Company, in the register's office of the several counties in which such lands are situated.

No. 198, A.,

A bill to revive and restore chapter 188, of the general laws of 1872, entitled, an act to provide for the incorporation of villages as it was originally enacted, to restore certain laws relating to the same, and to legalize the assessment, levy, and collection of taxes in villages incorporated under said act.

No. 211, A.,

A bill to repeal chapter 43, of the general laws of 1875, entitled, "an act to amend section 65, of chapter 18, of the revised statutes, entitled, 'of assessment and collection of taxes.'"

No. 235, A.,

A bill in relation to the publication of legal notices.

No. 248, A.,

A bill to amend section 2, of chapter 9, of the general laws of 1872, in relation to special terms of court, for Door county.

No. 258, A.,

A bill to punish fraudulent banking.

No. 287, A.,

A bill to legalize the formation of the Amherst Cemetery Association.

No. 300, A.,

A bill to amend section 15, of chapter 184, of the private and local laws of this State, approved March 25, 1867, entitled, an act to incorporate the village of Princeton, and to repeal chapter 7, of the general laws of this State, approved January 26, 1865.

No. 328, A.,

A bill to authorize the city of Racine to transfer moneys, and to levy a tax to cover deficiencies in certain city funds.

No. 370, A.,

A bill in relation to evidence in suits on official bonds, and to recover public funds.

No. 392, A.,

A bill relating to justices of the peace, in the city of Sheboygan, and to amend section 1, of chapter 236, of the laws of 1874, entitled, "an act to amend chapter 254, of the private and local laws of 1868, entitled 'an act to revise, consolidate, and amend the act to incorporate the city of Sheboygan, and the several acts amendatory thereof, and to repeal chapter 94, of the private and local laws of 1856, entitled, 'an act to establish a code of procedure for the police courts, of the city of Sheboygan, approved March 15, 1856, and the several acts amendatory thereof.'"

No. 42, A.,

A bill to organize the 13th judicial circuit, and to change the limits of the 6th and 8th judicial circuits.

M. C. No. 4, A.,

Memorial to Congress for the establishment of a tri-weekly mail route from Waupaca, in the county of Waupaca, to Plainfield, in the county of Waushara.

No. 98, A.,

A bill to amend, and re-enact as amended, chapter 333, of the laws of 1875, entitled, an act to amend chapter 16, of the private and local laws of 1872, entitled, an act to incorporate the city of Eau Claire, so as to authorize the construction of water-works by and for said city.

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#### ASSEMBLY MESSAGE CONSIDERED.

Nos. 32, 198, 98, and 392, A.,

Were referred to the Committee on Incorporations.

Nos. 194, 211, 235, 248, 287, 328, 370, and 42, A.,

Were referred to the Committee on Judiciary.

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No. 69, A.,

Was referred to the Committee on Military Affairs.

No. 152, A.,

Was referred to the Committee on Education.

No. 156, A.,

Was referred to the Committee on Legislative Expenditures.

M. C. No. 4, A.,

Was referred to the Committee on Federal Relations.

No. 258, A.,

Was referred to the Committee on Banks, and Banking.

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Senator Flint moved that the vote by which

No. 22, A.,

Was passed, be reconsidered.

Which motion prevailed,

And the bill was referred to the Committee on Judiciary.

No. 300, A.,

On motion of Senator Potter,

The rules were suspended, and the bill was read a third time and concurred in.

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#### ASSEMBLY BILLS READY FOR A THIRD READING.

No. 57, A.,

A bill to allow compensation to clerks of the school districts of the State.

No. 72, A.,

A bill to repeal section 7, chapter 166, general laws of 1872, entitled, "an act to organize the paid fire department, of any city within the State of Wisconsin, into a relief association."

No. 224, A.,

A bill to revise, consolidate, and amend an act, entitled, an act to incorporate the city of Waupaca, approved March 5, 1875.

Were read a third time and concurred in.

No. 61, A.,

A bill for the division of the counties of Clark and Marathon, and the erection of the county of Langlade,

Senator Douglas moved that the bill be indefinitely postponed. The motion was lost by the following vote:

Ayes—Senators Baker, Bryant, Campbell, H. N. Davis, Douglas, Farr, Flint, Hathaway, Mitchell, Potter, Tate, and Treat—12.

Nays—Senators Barden, Barney, Blair, Cavanagh, Downs, Eastman, Hiner, McFarland, Rounds, Ryan, Schuette, Scott, Silverthorn, Welch, and Wilnot—15.

Senator Hiner asked unanimous consent to offer the following amendment:

Amend section 1 of bill, as read a third time, by striking out the following amendment, adopted on the third reading of the bill: "amend section 1 by adding to the territory included within the boundaries of said new county, towns 28 and 29, in ranges 2, 3, and 4 west, and town 27, range 2 west," so that the boundaries of said territory shall stand as passed in the Assembly bill.

Objection being made, the amendment was ruled out of order.

The Senate refused to pass the bill by the following vote:

Ayes—Senators Barden, Barney, Blair, Cavanagh, Eastman, Hiner, McFarland, Rounds, Ryan, Schuette, Scott, Silverthorn, and Wilmot—13.

Nays—Senators Baker, Bryant, Campbell, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Mitchell, Potter, Tate, Treat, and Welch—14.

Senator Potter moved that the vote by which the bill was refused passage, be reconsidered, and that that motion be laid upon the table, which motion prevailed.

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#### SENATE BILLS READY FOR A THIRD READING.

No. 161, S.,

A bill to lay out and establish a State road from Viroqua to Elroy.

No. 192, S.,

A bill to authorize the city of La Crosse, to build and maintain a bridge across the Mississippi River.

No. 195, S.,

A bill to amend chapter 213, of the laws of 1873, entitled, "an act authorizing the construction of a levee along the Wisconsin River, in the counties of Columbia and Sauk."

No. 189, S.,

A bill to incorporate the Firemen's Association of the city of Menasha.

No. 260, S.,

A bill to amend section 3, chapter 3, of the general laws of 1871, entitled, "an act to fix the time of holding court in 11th judicial circuit, and to provide for the appointment of special terms of court, and to dispense with grand and petit jurors at certain terms."

No. 261, S.,

A bill to amend sections 1, 2, and 3, of chapter 299, of the laws of Wisconsin, of 1875, entitled, "an act to prescribe the duties and regulate the fees of the lumber inspector of the fourth district."

No. 267, S.,

A bill relating to actions on appeals to the Supreme Court.

No. 268, S.,

A bill to require village and city authorities to construct vaults or structures for temporary keeping of dead bodies before interment in certain cases; and,

No. 271, S.,

A bill relating to the discontinuance of roads by user, and amendatory of section 85, of chapter 19, of the revised statutes, entitled, of roads and bridges.

Were severally read a third time and passed.

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#### SENATE BILLS READY FOR ENGROSSMENT.

No. 177, S.,

A bill to improve the south branch of the Eau Claire River and its tributaries, in Clark county.

No. 178, S.,

A bill to improve the north branch of the Eau Claire River in the county of Clark.

No. 191, S.,

A bill to amend chapter 133, of private and local laws of 1857, entitled, an act to consolidate and amend the act, to incorporate the city of Kenosha, and the several acts amendatory thereof.

No. 233, S.,

A bill to submit to the people an amendment to section 23, of article 4, of the constitution of the State of Wisconsin.

No. 236, S.,

A bill to amend section 1, of chapter 299, of the general laws of 1873, entitled, an act to amend chapter 56, general laws of 1870, entitled, an act to provide for the incorporation and government of fire and inland navigation insurance companies.

No. 269, S.,

A bill to amend section 29, chapter 56, general laws of 1870, entitled, an act to provide for the incorporation and government of fire and inland navigation insurance companies.

No. 279, S.,

A bill to repeal a portion of chapter 156, of the private and local laws of 1869, entitled, an act declaring Balsam Branch, Sucker Lake, and Sucker Branch, in the county of Polk, navigable for the purpose of driving logs, and also to repeal a portion of chapter 430, of the private and local laws of 1868, entitled, an act to incorporate the Apple River Log-Driving Company.

No. 162, S.,

A bill in relation to claims against the State presented to either branch of the legislature.

Were severally ordered engrossed for a third reading.

The amendments to,

No. 139, S.,

A bill to appropriate to P. R. Tierney a sum of money therein named.

No. 156, S.,

A bill relating to the Supreme Court.

No. 247, S.,

A bill to reconstruct the 11th judicial circuit, and fix the time for holding the terms thereof.



Were adopted, and the bills were severally ordered engrossed for a third reading.

No. 15, S.,

A bill making an appropriation to the Northwestern Wisconsin Agricultural and Mechanical Association.

On motion of Senator Rounds,

The bill was recommitted to a select committee consisting of Senator Rounds.

No. 218, S.,

A bill to appropriate to Columbus Union Fair and Agricultural Society a sum of money.

On motion of Senator Campbell, was recommitted to Committee on Claims.

No. 258, S.,

A bill relating to trespassing on State lands, and for the repeal of chapter 21, of the general laws of 1871, entitled, "an act to consolidate and amend the laws relating to trespassing on State lands."

On motion of Senator McFarland, the bill was postponed until Tuesday, the 29th inst., at 11 o'clock, and made the special order for that hour, and to remain such until finally disposed of.

No. 251, S.,

A bill to appropriate to the Governor a certain sum of money for a contingent fund.

Senator Barron moved that the bill be recommitted to the Committee on State Affairs, with instructions to report how much said improvement has already cost the State of Wisconsin; the United States; how many acres of land have been given for said improvement; how many years said lands were exempt from taxation; and whether said improvement has yet become practicable to any great extent, and how soon it may reasonably be expected to become of extensive use to the public.

The motion was lost.

The amendment reported by the Committee on Claims was rejected; and,

The bill was ordered engrossed for third reading.

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#### ASSEMBLY BILLS ON THEIR THIRD READING.

The amendment reported by the committee to,

No. 68, A.,

A bill to authorize municipal corporations to establish sinking-funds.

Was concurred in, and

No. 205, A.,

A bill authorizing the restoration and maintenance of the waters of Brown Lake, in the town Burlington, Racine county, to and at their natural flow and level.

Were ordered to a third reading.

On motion of Senator Baker,  
No. 224, S.,

A bill for the protection of whitefish in Lake Michigan, and to preserve the purity of its waters and of the streams entering therein.

Was recommitted to a select committee consisting of Senators Hudd, Schuette, Baker and Farr.

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On motion of Senator Hiner,  
The Senate adjourned.

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SATURDAY, FEBRUARY 26, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

Prayer by the Rev. L. Y. Hays.

The roll was called, and the following Senators answered to their names:

Senators Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Jacobs, McFarland, Nevins, Potter, Rounds, Ryan, Schuette, Silverthorn, Tate, Treat, and Welch.

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#### LEAVES OF ABSENCE.

Leaves of absence were granted.

To Senators Mitchell, Treat, H. N. Davis, and Wilmot, until Monday evening next.

To Senators Eastman and Flint, until after the morning hour Monday next.

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Senator Schuette moved that when the Senate do adjourn, it adjourn until 7:30 o'clock Monday evening.

The ayes and noes being called for the motion prevailed by the following vote:

Ayes—Senators Barden, Blair, H. N. Davis, Downs, Eastman, Flint, Hathaway, Hiner, McFarland, Reed, Rounds, Schuette, Silverthorn, Tate, and Treat—15.

Nays—Senators Barney, Barron, Bryant, Campbell, Cavanagh, R. E. Davis, Jacobs, Nevins, Potter, Ryan, and Welch—11.

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Senator Flint moved that the select committee to whom was referred, Jt. Res. No. 17, S., be increased to five.

The motion prevailed.

The President appointed as additional members of the committee, Senators Barney, Schuette, Ryan, and Welch.

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### MEMORIALS PRESENTED AND REFERRED.

By Senator Ryan:

Mem. No. 181, S.,

Petition of J. Nausbaum, Stephen Nicauli, and 44 others, residents of Sherwood, Calumet county, against taxation of church property.

To Committee on State Affairs.

By Senator Ryan:

Mem. No. 182, S.,

Petition of Dr. J. T. Reeve, President Steele, Dr. Stausbury, and 76 other residents, of the city of Appleton, relative to a State board of health.

To select committee consisting of Senators Farr, Reed, and Downs.

By Senator Ryan:

Mem. No. 183, S.,

Petition of John A. Abb, Edward Fenton, and 38 other residents, of the town of Woodville, Calumet county, against taxation of church property.

To Committee on State Affairs.

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### RESOLUTIONS INTRODUCED.

By Senator Tate :

Jt. Res. No. 21, S.,

Relating to the adjournment of the legislature.

*Resolved by the Senate, the Assembly concurring,* That the Legislature adjourn, *sine die*, on the 8th day of March, 1876, at 12 o'clock, m., and that no business be done by either house, except to receive and send messages from one house to the other, and to receive messages from the Executive, and to act upon the same, after the 6th instant, at 9 o'clock p. m.

The resolution lies over.

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### REPORTS OF COMMITTEES.

The Committee on Engrossed Bills have examined and find correctly engrossed the following bills:

No. 279, S.,

A bill to repeal a portion of chapter 156, of the private and local

laws of 1869, entitled, an act declaring Balsam Branch, Sucker Lake, and Sucker Branch, in the county of Polk, navigable for the purpose of driving logs, and also to repeal a portion of chapter 430, of the private and local laws of 1868, entitled, an act to incorporate the Apple River Log-Driving Company.

No. 178, S.,

A bill to improve the north branch of the Eau Claire River, in the county of Clark.

No. 177, S.,

A bill to improve the south branch of the Eau Claire River and its tributaries, in Clark county.

No. 233, S.,

A bill to submit to the people an amendment to section 23, of article 4, of the constitution of the State of Wisconsin.

No. 162, S.,

A bill in relation to claims against the State presented to either branch of the legislature.

No. 236, S.,

A bill to amend section 1, of 299, of the general laws 1873, entitled, an act to amend chapter 56, general laws of 1870, entitled, an act to provide for the incorporation and government of fire and inland navigation insurance companies.

No. 251, S.,

A bill to appropriate to appropriate to the Governor a certain sum of money for a contingent fund.

No. 247, S.,

A bill to reconstruct the eleventh judicial circuit and fix the time for holding the terms thereof.

No. 139, S.,

A bill to appropriate to P. R. Tierney, a sum of money therein named.

D. E. WELCH,  
*Chairman.*

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The Committee on the Judiciary, to which were referred,

No. 198, S.,

A bill relating to the circuit court for Vernon county.

No. 214, S.,

A bill to abolish time sentences to the State Prison.

No. 230, S.,

A bill to repeal chapter 77, laws of 1873, relating to copies of papers in legal actions.

No. 186, S.,

A bill to authorize county judges to grant pardons in certain cases.

No. 289, S.,

A bill to amend chapter 125, of the general laws of 1875, entitled, an act to provide for costs on writs of *certiorari* from justices of the peace.

No. 187, S.,

A bill relating to the office of Supreme Court reporter.

No. 208, S.,

A bill requiring notice to be given in cases where damages may happen to any person on account of insufficiency or want of repair of any highway, bridge, or sidewalk in any incorporated village.

No. 114, A.,

A bill to provide for the adjustment and taxation of costs.

Has had the same under consideration and instructed me to report them back with the recommendation that they be indefinitely postponed.

H. D. BARRON,

*Chairman.*

On motion of Senator Welch, bills No. 208, S., and 230, S., were referred to a select committee of one, consisting of Senator Welch.

On motion of Senator Reed,

No. 214, S.,

Was referred to a select committee, consisting of Senator Reed.

On motion of Senator Ryan,

No. 187, S.,

Was referred to a select committee, consisting of Senator Ryan.

On motion of Senator Barron,

No. 186 S.,

Was referred to a select committee, consisting of Senator Barron.

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The Committee on Judiciary, to which was referred:

No. 57, S.,

A bill relating to verdicts of juries.

Has had the same under consideration and instructed me to report it back with the recommendation that it be indefinitely postponed.

Although the committee is clearly of the opinion that such a change in jury verdicts as is proposed by the bill under consideration would have a demoralizing effect upon ordinary juries, from the sense of less responsibility that would naturally prevail among them, if unanimity were not required in the giving of verdicts, it is not upon this consideration that the principal objection of the committee is based.

It is a question of the gravest doubt whether the legislature of any of the United States has the constitutional right to pass a law interfering in any manner with the jury trial in criminal cases, a mode of trial which has come down to us unchanged since the days of Magna Charta, firmly established as an inviolable, uniform and universal custom of the Anglo-Saxon race, known of all men, and made certain and permanent by every fresh charter or constitution, to which the assent of Anglo-Saxon people has been given.

According to innumerable decisions of the courts of England, and of this country, a trial by jury means the trial by twelve men, from whom a unanimous verdict is required, and though the right

to such trial may be waived by consent of parties in civil cases, it has been held by the court of appeals, of the State of New York, (The people *vs.* Cancemi, 7 Abbott's practice reports 304, old series.) that it cannot be waived even by express consent of the parties in a criminal case, for the reason that said right is inalienable under the constitution of the State of New York, which does not differ, so far as relates to the point in question, from the constitution of Wisconsin. The Federal Constitution is almost equally explicit when it says: "The trial of all crimes, except in cases of impeachment, shall be by jury," and under that clause your committee considers it questionable whether even a constitutional amendment in any State infringing upon or altering the right of a defendant in a criminal case to a jury trial, in the established and uniform manner, would be unsound and void.

But however this may be, the Supreme Court of this State has repeatedly decided that there can be no infringement on the common-law right to jury trial in criminal cases under our own constitution. It will not be necessary at this time to cite the opinion of the court in more than three important cases, which are given below:

These opinions are as follows: "The constitution provides that the right of trial by jury shall remain inviolate," which evidently had reference to the condition of the law as it existed when the constitution was adopted. *Stillwell, et al, v. Kellogg, et al*, 14 Wis., 461. The same opinion is expressed by the court, in *Norval v. Rice and wife*, 2 Wis., 29, and in the same case on the preceding page, the court says: "The constitutional provision, securing the right of trial by a jury, means a jury of twelve men, according to the known technical meaning of the term. Of his right to such a jury the defendant cannot be deprived, except by his own consent." In the case of *Gaston v. Babcock*, 6 Wis., 506, the following language is used in relation to the clause of the State constitution, which affirms, that the right of trial by jury shall remain inviolate:

"We suppose this expression must have reference to the state of the law as it existed at the formation of the constitution, and means that this right shall continue as it was at the time of the formation and adoption of the constitution by the people of this State; or to speak perhaps with greater precision, that it shall remain as full and perfect as it was at that time."

In view of these decisions, the committee is unanimous in the recommendation herein given.

H. D. BARRON,  
*Chairman.*

On motion of Senator Barron,  
The bill was referred to the select committee of five having in charge  
Jt. Res. No. 17, S.

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The Committee on the Judiciary, to which were referred,  
No. 167, S.,  
A bill to legalize the acts and proceedings of a town meeting in

the town of Medford, in the county of Taylor, held on the 15th day of October, A. D. 1875, for the purpose of voting on the location of county buildings, the price to be paid for the same, and the manner of paying for the same.

Mem. No. 76; S.,

Petition to legalize special town meeting of the town of Medford, etc., signed by J. A. King and 369 others.

Mem. No. 107, S.,

Remonstrance of 440 citizens, of Taylor county, against the passage of bill legalizing the election locating the court-house of said county.

Has had the same under consideration and instructed me to report back said bill and memorials, the bill with amendment, and the recommendation that when so amended said bill do pass.

H. D. BARRON,  
*Chairman.*

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The Committee on Internal Improvements, to whom was referred, Res. No. 19, S.,

Requesting the Governor to invite the Governors of other States to unite in celebrating the completion of the Fox and Wisconsin River Canal.

Have had the same under consideration and report the same back and recommend it be adopted.

J. B. TREAT,  
*Chairman.*

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The Committee on Federal Relations, to whom was referred Memorial to Congress No. 4, A., have instructed me to report same back, recommending its adoption.

G. E. BRYANT,  
*Chairman.*

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The Joint Committee on Printing, to which was referred, Jt. Res. No. 7, A.

Providing for the printing and binding of the report of the railroad commissioners.

Have had the same under consideration, and instructed me to report the same back, with the recommendation that it be concurred in.

R. J. FLINT,  
*Chairman.*

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The Joint Committee on Printing, to which was referred, No. 136, A.,

A bill to amend chapter 53, private and local laws of 1872, entitled, "an act to provide for the county printing in the county of Waupaca."

Have had the same under consideration, and instruct me to report the same back with the recommendation that it be concurred in.

R. J. FLINT,  
*Chairman.*

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The Committee on Legislative Expenditures, to whom was referred,

No. 156, A.,

A bill to fix the maximum amount of stationery, postage-stamps, and newspaper allowances that members of the legislature, officers and employees thereof, and others, shall be entitled to receive at the expense of the State.

Have had the same under consideration, and directed me to report the same back, with the recommendation that it be indefinitely postponed.

J. HENRY TATE,  
*Chairman.*

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The Committee on Roads, Bridges, and Ferries, to whom was referred,

No. 55, A.,

A bill to authorize the second ward of the city of Green Bay and the second ward of the city of Fort Howard to rebuild, repair, and maintain the middle bridge across Fox River, between Green Bay and Fort Howard.

Have had the same under consideration, and report the same back with the recommendation that it be concurred in.

No. 169, S.,

A bill relating to county roads and amendatory of section 132, of chapter 152, of the general laws of 1869, entitled, "an act to codify the laws of this State, relating to highways and bridges."

No. 240, S.,

A bill relating to the powers of county boards of supervisors, and amendatory of section 2, of chapter 152, laws of 1875.

Have had the same under consideration, and report them back, with the recommendation that they do pass.

JOHN SCHUETTE,  
*Chairman.*

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The Committee on Internal Improvements, to whom was referred,  
No. 203, S.,

A bill to amend section 3, of chapter 299, of the private and local laws of 1870, entitled, "an act to define certain rights and duties of the Beef Slough Manufacturing, Booming, Log-Driving, and Transportation Company."

Have had the same under consideration, and report the same



back, and recommend that it be referred to the Senator from the 13th.

J. B. TREAT,  
*Chairman.*

So referred.

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The Committee on Education, to whom was referred a communication of his excellency, the Governor, in relation to the purchase of the cabinet and library of the late Increase A. Lapham.

Have had the same under consideration, and herewith report bill relating to the same, and recommend the reference of said bill to Committee on Claims.

R. E. DAVIS,  
*Acting Chairman.*

Said bill became,  
No. 292, S.,

A bill to authorize the Governor to purchase the cabinet and library of the late Increase A. Lapham.

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The Joint Committee on Claims, to which was referred,  
No. 151, S.,

A bill to repeal section 15, of chapter 533, of the general laws of 1865, entitled, "an act to accept the grant of lands made to the State of Wisconsin, by act of Congress, approved June 25, 1864, to aid the construction of a military road from Wausau, Marathon county, to Lake Superior," and to amend section 10, of said chapter 533, by appropriating a sum of money therein named.

Has had the same under consideration, and report the same back with amendments, and with recommendation that they do pass when so amended.

No. 54, S.,

A bill to codify and consolidate the laws relating to pay and mileage of members, pay of employees, and providing for newspapers, postage-stamps, stationery, and opening of the legislature.

No. 94, S.,

A bill to appropriate a certain sum to the State Historical Society.

No. 270, S.,

A bill to appropriate a sum of money therein named to pay for additional copies of the Legislative Manual for 1876.

Has had the same under consideration and report them back with the recommendation that they do pass.

Mem. No. 8, S.,

In relation to claim of D. K. Tenney, for services rendered to the committee to revise and codify the laws of the State, relating to the assessment and collection of taxes.

Has had the same under consideration, and report it back with the recommendation that it be indefinitely postponed.

FRANCIS CAMPBELL,  
*Chairman.*

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The Committee on State affairs, to whom was referred,  
Mem. No. 126, S.,

A memorial to the legislature for a State board of health.

Respectfully report that they have had under consideration said memorial with accompanying documents, and have instructed me to report the same back to the Senate, without recommendation.

And I take the liberty of recommending that the said memorial and documents be referred to a select committee consisting of Senators Farr, Reed, and Downs.

L. W. BARDEN,  
*Chairman.*

So ordered.

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The Committee on State Affairs, to whom was referred,  
No. 194, S.,

A bill to authorize the building of a dam in the Wisconsin River at Portage.

Respectfully report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with amendments, and when so amended that the same do pass.

L. W. BARDEN,  
*Chairman.*

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The Committee on Railroads, has had under consideration,  
No. 24, S.,

A bill to repeal section 8, of chapter 341, of the laws of 1874, entitled, "an act in relation to railroads."

No. 41, S.,

A bill to amend chapter 273, of the laws of 1874, entitled, an act relating to railroad, express, and telegraph companies in the State of Wisconsin.

No. 42, S.,

A bill to repeal chapter 290, of the laws of 1874, entitled, "an act to authorize the board of railroad commissioners to employ a clerk."

No. 43, S.,

A bill to repeal chapter 39, laws of 1875, entitled, "an act to amend chapter 273, laws of 1874, entitled 'an act relating to railroads, express and telegraph companies in the State of Wisconsin.'"

No. 174, S.,

A bill in relation to the North Wisconsin Railway.

No. 248, S.,

A bill requiring the Wisconsin Central Railroad Company to relay its track and maintain and operate its road from Menasha to Appleton.

No. 102, S.,

A bill relating to telegraph companies, and amendatory of chap-

ter 141, of the general laws of 1868, entitled, "an act to provide for the taxation of telegraph companies, and to repeal chapter 160, of the general laws of 1867, entitled, 'an act to provide for the taxation of telegraph companies.'"

No. 284, S.,

A bill in relation to telegraph companies in the State of Wisconsin.

No. 51, S.,

A bill to repeal chapter 104, of the general laws of 1870, entitled, an act to aid the West Wisconsin Railroad Company.

With the recommendation that the said bills be indefinitely postponed. Senator Potter dissenting as to Nos. 248, 102, 284, and 51, S. Senator Wilmot dissenting as to No. 51.

W. H. HINER,

*Chairman*

Nos. 41, 42, and 43, S.,

Were referred to a select committee, consisting of Senator Bryant.

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The Committee on Enrolled Bills have examined and find correctly enrolled the following bills:

No. 98, S.,

An act to amend chapter 46, of the general laws of 1869, entitled, an act to protect the lands and timber thereon, granted to the St. Croix & Lake Superior Railway Company.

No. 76, S.,

An act to authorize the construction of a pontoon bridge or railway ferry from some feasible point in Buffalo county, State of Wisconsin, to some feasible point in the State of Minnesota.

No. 274, S.,

An act amendatory of chapter 72, of the private and local laws of 1858, relating to the city of Ripon.

No. 58, S.,

An act to amend section 1, of chapter 46, of the general laws of 1869, entitled, "an act to protect the lands and timber thereon, granted to the St. Croix & Lake Superior Railroad Company."

No. 70, S.,

An act to fix the time for holding the term of the several circuit courts in the seventh judicial circuit.

No. 3, S.,

An act to amend an act entitled, an act to incorporate the Mineral Point & Portage City Railroad Company, approved October 13, 1856.

M. C. No. 10, S.,

Memorial to Congress for the establishment of a tri-weekly mail route from Marquette, in the county of Green Lake, via Kingston to Portage, in Columbia county.

M. C. No. 8, S.,

Memorial to Congress for an increased appropriation for the extension of the Signal Service.

No. 60, S.,

An act to authorize the Secretary of State to order the binding of the report of the State Superintendent of Public Instruction.

No. 39, S.,

An act to appropriate to Conrad Krez a sum of money therein named.

No. 49, S.,

An act relating to registrations of electors, and amendatory of section 1, of chapter 232, of the general laws of 1875.

No. 101, S.,

An act to amend section 1, and repeal section 7, of chapter 146, of the general laws of 1872, entitled, an act to authorize the organization of corporations for other than manufacturing, mercantile, insurance, banking, transportation, or trading purposes.

R. J. FLINT,  
*Chairman.*

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#### REPORTS OF SELECT COMMITTEES.

The select committee consisting of the Senators of the 18th, 2d, 20th, 22d, 1st, and 15th districts to whom was referred,

No. 137, S.,

A bill to fix the time of holding the several terms of the circuit court in the fourth judicial circuit.

Have had the same under consideration and report the said bill back with a substitute, the adoption and passage of which they respectfully recommend.

W. H. HINER,  
*Chairman.*

On motion of Senator Eastman,

The rules were suspended, the amendment reported by the committee was concurred in, and the bill was read a third time and passed.

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The select committee, to whom was referred,

No. 240, A.,

A bill to authorize the improvement of streets in the second ward of the city of Milwaukee, and to authorize the levy of a special tax therefor in said ward.

Report the same back, with an amendment, and recommend concurrence in its passage when so amended.

W. H. JACOBS,  
*Committee.*

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The committee of one, to whom was referred,

No. 214, S.,

A bill to abolish time sentences to the State Prison.

Has had the same under consideration, and report it back with a substitute, and recommend the adoption of the substitute and the passage of the bill when so substituted.

W. W. REED,  
*Committee.*

On motion, the bill was ordered printed as it would stand when amended.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to return to you,

No. 202, S.,

An act to amend section 12, of chapter 119, laws of 1872, entitled, an act in relation to railroads, and the organization of railroad companies.

No. 103, S.,

An act to appropriate a sum of money therein named to the Industrial School for Boys, for the purpose of introducing the manufacture of boots and shoes.

No. 92, S.,

An act to authorize the taking of fish in the public waters of the State for the purpose of artificial propagation.

No. 27, S.,

An act to appropriate to William P. Stowe, the sum of five hundred and twenty-seven dollars and interest from March 7, 1863.

No. 59, S.,

An act to amend chapter 222, of the laws of 1852, entitled, an act to incorporate the Milwaukee Musical Society, approved April 5, 1852.

No. 28, S.,

An act to amend chapter 22, of the laws of 1875, entitled, "An act to amend chapter 136, laws of 1874, entitled, 'An act for the preservation of fish in Dell Creek.'"

Jt. Res. No. 5, S.,

Relating to a consolidated official Centennial directory of the General and several State Governments of the United States of America.

The same having been signed by the Speaker.

Were signed by the President.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 400, A.,

A bill to legalize the organization of the Farmers' Mutual Fire Insurance Company of the towns of Colfax, Dunn, Eau Galla, Elk Mound, Lucas, Grant, Menomonie, Peru, Red Cedar, Rock Creek, Stanton, Sherman, Spring Brook, Tainter and Weston, in the county of Dunn, State of Wisconsin.

No. 269, A.,

A bill authorizing the formation of insurance companies against loss or damage by hail to all kinds of grain, fruits, hops, and legumens.

No. 117, A.,

A bill to amend section 2, of chapter 248, laws of 1875, entitled, "an act relating to the fencing of railroads."

No. 157, A.,

A bill to authorize street railway companies to issue bonds, and to secure the same by mortgage or trust deed.

No. 79, A.,

A bill to amend chapter 500, of the local laws of 1868, entitled, an act to consolidate and amend an act to incorporate the city of Madison, and the several acts amendatory thereof, approved March 6, 1868.

No. 255, A.,

A bill to authorize counties, towns, cities and villages to aid the Milwaukee, Lake Shore & Western Railway Company.

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#### ASSEMBLY MESSAGE CONSIDERED.

Nos. 400, A., and 269, A.,

Were referred to select committee, consisting of Senators R. E. Davis, Barden, and Barney.

Nos. 117, A., 157, A., and 255, A.,

Were referred to Committee on Railroads.

No. 79, A.,

Was referred to Committee on Judiciary.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof :

MR. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 395, A.,

A bill to provide for the erection and maintenance of a slaughter-house, in the village of Delavan.

No. 138, A.,

A bill to amend chapter 170, general laws 1868, entitled, "an act to amend section 28, of chapter 13, of the revised statutes, entitled, of counties and county officers."

## ASSEMBLY MESSAGE CONSIDERED.

No. 395, A.,

Was referred to Committee on Incorporations.

No. 138, A.,

Was referred to Committee on Town and County Organization.

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ASSEMBLY BILLS READY FOR A THIRD READING.

No. 205, A.,

A bill to authorize the restoration and maintenance of the waters of Brown's Lake, in the town of Burlington, Racine county, to and at their natural flow and level.

Jt. Res. No. 7, A.,

Providing for the printing and binding of the report of the Railroad Commissioners for 1875.

Was concurred in.

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SENATE BILLS READY FOR A THIRD READING.

No. 54, S.,

A bill to codify and consolidate the laws relating to pay and mileage of members, pay of employes, and providing for newspapers, postage stamps, stationery, and opening of legislature.

By unanimous consent, Senator Welch offered the following amendment:

"Amend section 8, by substituting \$4 per day, instead of \$5 per day so far as it applies to the postmaster."

The amendment was adopted.

By unanimous consent, Senator Barron offered the following amendment:

"Amend section 8, by substituting \$3; per pay, instead of \$3.50 per day, to apply to clerks of committees."

The amendment was adopted.

The ayes and nays being called for, the bill was passed by the following vote:

Ayes—Senators Baker, Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Flint, Hathaway, Hiner, McFarland, Nevins, Rounds, Ryan, Schuette, Scott, Tate, and Welch—20.

Nays—Senators Barney, R. E. Davis, Farr, and Silverthorn—4.

No. 247, S.,

A bill to reconstruct the eleventh judicial circuit, and fix the time for holding the terms thereof.

No. 279, S.,

A bill to repeal a portion of chapter 156, of the private and local laws of 1869, entitled, an act declaring Balsam Branch, Sucker Lake, and Sucker Branch, in the county of Polk, navigable for the

purpose of driving logs, and also to repeal a portion of chapter 430, of the private and local laws of 1868, entitled, an act to incorporate the Apple River Log-Driving Company.

No. 162, S.,

A bill in relation to claims against the State presented to either branch of the legislature.

No. 236, S.,

A bill to amend section 1, of chapter 299, of the general laws of 1873, entitled, an act to amend chapter 56, general laws of 1870, entitled, an act to provide for the incorporation and government of fire and inland navigation insurance companies.

No. 233, S.,

A bill to submit to the people an amendment to section 23, of article 4, of the constitution of the State of Wisconsin.

Were severally read a third time and passed.

No. 251, S.,

A bill to appropriate to the Governor a certain sum of money for a contingent fund.

Was read a third time and passed by the following vote:

Ayes—Senators Baker, Barden, Barney, Bryant, H. N. Davis, R. E. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, McFarland, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, and Welch—21.

Nays—Senators Barron, Jacobs, and Tate—3.

No. 139, S.,

A bill to appropriate to P. R. Tierney a sum of money therein named.

Was read a third time and passed by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, McFarland, Nevins, Potter, Reed, Ryan, Schuette, Scott, Silverthorn, and Tate—23.

Nays—Senator Welch—1.

Jt. Res. No. 19, S.,

Requesting the Governor to invite the Governors of other States to unite in celebrating the completion of the Fox and Wisconsin River Canal.

Senator Barron offered the following amendment to the resolution:

Amend by striking out all relating to the time of such celebration, and insert: "At the next Centennial, if the work shall have then been completed."

The amendment was rejected, and the said joint resolution was then adopted.

No. 177, S.,

A bill to improve the south branch of the Eau Claire River and its tributaries, in Clark county.

No. 178, S.,

A bill to improve the north branch of the Eau Claire River in the county of Clark.



Were severally read a third time and passed, by the following vote:

Ayes—Senators Baker, Barney, Barron, Bryant, H. N. Davis, R. E. Davis, Douglas, Downs, Flint, Hathaway, Hiner, Jacobs, McFarland, Nevins, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, and Tate—21.

Nays—Senators Barden, Campbell, and Potter—3.

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#### SENATE BILLS READY FOR ENGROSSMENT.

No. 102, S.

A bill relating to telegraph companies, and amendatory of chapter 141, of the general laws of 1868, entitled, "an act to provide for the taxation of telegraph companies, and to repeal chapter 160, of the general laws of 1867, entitled, 'an act to provide for the taxation of telegraph companies.'"

No. 248, S.,

A bill requiring the Wisconsin Central Railroad Company to relay its track and maintain and operate its road from Menasha to Appleton.

No. 284, S.,

A bill in relation to express companies in the State of Wisconsin.

No. 51, S.,

A bill to repeal chapter 104, general laws of 1870, entitled, "an act to aid the West Wisconsin Railway Company."

Were severally postponed until Tuesday, the 29th inst.

No. 24, S.,

A bill to repeal section 8, of chapter 341, of the laws of 1874, entitled, an act in relation to railroads.

No. 174, S.,

A bill in relation to the North Wisconsin Railway.

No. 198, S.,

A bill relating to the circuit courts for Vernon county.

No. 289, S.,

A bill to amend chapter 125, of the general laws of 1875, entitled, an act to provide for costs on suits of *certiorari* from justices of the peace.

Were severally indefinitely postponed.

No. 94, S.,

A bill to appropriate a certain sum to the State Historical Society.

No. 151, S.,

A bill to repeal section 15, of chapter 533, of the general laws of 1865, entitled, "an act to accept the grant of lands made to the State of Wisconsin, by act of Congress, approved June 25, 1864, to aid the construction of a military road from Wausau, Marathon county, to Lake Superior," and to amend section 10, of said chapter 533, by appropriating a sum of money therein named.

No. 169, S.,

A bill relating to county roads and amendatory of section 132, of chapter 152, of the general laws of 1869, entitled, "an act to codify the laws of this State, relating to highways and bridges."

No. 240, S.,

A bill relating to the powers of county boards of supervisors, and amendatory of section 2, of chapter 152, laws of 1875.

Were severally ordered engrossed for a third reading.

The amendments to,

No. 194, S.,

A bill to authorize the building and maintaining a dam in the Wisconsin River in the city of Portage.

Were adopted and the bill ordered engrossed for a third reading.

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### ASSEMBLY BILLS ON THEIR THIRD READING.

M. C. No. 4, A.,

For the establishment of a tri-weekly mail-route from Waupaca, in the county of Waupaca, to Plainfield, in the county of Wau-shara.

No. 136, A.,

A bill to amend chapter 53, private and local laws 1872, entitled, an act to provide for county printing in the county of Waupaca.

Were severally ordered to a third reading.

The amendments to,

No. 240, A.,

A bill to authorize the improvement of streets in the second ward of the city of Milwaukee, and to authorize the levy of a special tax therefor in said ward.

Were adopted, and the bill ordered to a third reading.

No. 114, A.,

A bill to provide for the adjustment and taxation of costs.

No. 156, A.,

A bill to fix the maximum amount of stationery, postage-stamps, and newspaper allowances that members of the legislature, officers and employees thereof, and others, shall be entitled to receive at the expense of the State.

Were indefinitely postponed.

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On motion of Senator Campbell,  
The Senate adjourned.

MONDAY, FEBRUARY 28, 1876.

7½ O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The Lieutenant-Governor presiding.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Mitchell, Nevins, Potter, Reed, Rounds, Schuette, Scott, Silverthorn, Tate, Welch, and Wilmot.

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#### NOTICE OF AMENDMENT TO THE RULES.

By Senator Barron:

Notice is hereby given that on to-morrow a motion will be made to amend joint rules numbers 18, 19, and 20, of the Senate and Assembly, by substituting the following therefor:

Rule 18. When a bill shall have been duly reported as correctly enrolled, it shall be the duty of the chief clerk of the house in which it originated, to present the bill first to the presiding officer of the house in which it originated, and next to the presiding officer of the other branch of the legislature, for signature, which duty shall be performed at as early an hour as possible, consistent with the proper discharge of his other duties as chief clerk.

Rule 19. After a bill shall have been signed by the respective presiding officers of the two houses, it shall be presented by the chief clerk of the house to which it originated, to the Governor, in the executive chamber, for his approval, it being first indorsed on the back of the roll, certifying in which house the same originated, which certificate shall be signed by the chief clerk of such house. In case the bill was passed by the ayes and noes being taken thereon, the number of affirmative and negative votes in each house shall be indorsed on the back of the bill.

Rule 20. All orders, resolutions and votes which are to be presented to the Governor, for his approval, shall, also, in the same manner be previously examined, enrolled, and signed, and then presented in the same manner as is provided in case of bills.

And further, that a motion will then be made to add the following to stand as joint rule No. 21:

Rule 21: It shall be the duty of the chief clerk of each house to keep a Senate and Assembly book of enrolled bills, in which shall be accurately minuted the exact time at which each bill or resolution (indicating it by its number,) was presented to the presiding officer of each house for signature, and to the Governor for his approval. Such books shall always be open for inspection, and shall be deposited with the Secretary of State, to be preserved by him, at the close of the session. The books shall be substantially in the following form:

### SENATE BILLS,

#### PRESENTED FOR SIGNATURE AND APPROVAL.

| No. of bill. | Presented to President. |          | Presented to Speaker. |           | Presented to Governor. |          |
|--------------|-------------------------|----------|-----------------------|-----------|------------------------|----------|
|              | Date.                   | Hour.    | Date.                 | Hour.     | Date.                  | Hour.    |
| No. 1, S ..  | Feb. 14                 | 9, A. M. | Feb. 15               | 10, A. M. | Feb. 15                | 2, P. M: |

and a like book for the bills originating in the Assembly shall also be kept by the Chief Clerk thereof.

And further, that a motion will then be made to make rule No. 5, of Senate rules, No. 3 of said rules, and to re-number the rules following it.

### MEMORIALS PRESENTED AND REFERRED.

By Senator Hudd:

Mem. No. 14, S.,

Of J. M. Smith and 75 others, inhabitants of Oak Grove, against any part of the said Oak Grove being annexed to the city of Green Bay.

To General File.

### REPORTS OF COMMITTEES.

The Committee on Engrossed Bills have examined and find correctly engrossed the following bills:

No. 194, S.,

A bill to authorize the building and maintaining a dam in the Wisconsin River, in the city of Portage.

No. 191, S.,

A bill to amend chapter 133, of private and local laws of 1857, entitled, "an act to consolidate and amend the act to incorporate the city of Kenosha, and the several acts amendatory thereof."

No. 151, S.,

A bill to repeal section 15, of chapter 533, of the general laws of 1865, entitled, "an act to accept the grant of lands made to the State of Wisconsin by act of Congress approved June 25, 1864, to aid the construction of a military road from Wausau, Marathon county, to Lake Superior," and to amend section 10, of said chapter 533, by appropriating a sum of money therein named.

No. 269, S.,

A bill to amend section 29, chapter 56, general laws of 1870, entitled, an act to provide for the incorporation and government of fire and inland navigation insurance companies.

No. 94, S.,

A bill to appropriate a certain sum of money to the State Historical Society.

No. 240, S.,

A bill relating to the powers of county boards of supervisors.

No. 169, S.,

A bill relating to county roads, and amendatory of section 132, of chapter 152, of the general laws of 1869, entitled, an act to codify the laws of this State relating to highways and bridges.

No. 156, S.,

A bill relating to the Supreme Court.

D. E. WELCH,  
*Chairman.*

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The Committee on the Judiciary, to which were referred,

No. 252, S.,

A bill relating to State warrants.

No. 255, S.,

A bill to amend chapter 113, of the private and local laws of 1867, and chapter 402, of the private and local laws of 1869, relating to the village of Shullsburg.

No. 193, S.,

A bill to enable certain towns, cities, and villages to construct and improve harbors.

Has had the same under consideration and instructed me to report them back with amendments, and the recommendation that they pass when so amended.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,

No. 6, A.,

A bill to compel assessors and county clerks to make certificates prescribed by the provisions of chapter 38, laws of 1874.

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Has had the same under consideration, and instructed me to report it back with the recommendation that it pass.

H. D. BARRON,  
*Chairman.*

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The Committee on Incorporations, to whom was referred,  
No. 198, A.,

A bill to revive and restore chapter 188, of the general laws of 1872, entitled, an act to provide for the incorporation of villages as it was originally enacted, to restore certain laws relating to the same, and to legalize the assessment, levy, and collection of taxes in villages incorporated under said act.

Have had the same under consideration, and instructed me to report the same back and recommend its passage.

No. 176, S.,

A bill to provide for the incorporation of associations or companies for lumbering or logging purposes.

With substitute, and ask reference of substitute to the Committee on Judiciary.

THOMAS B. SCOTT,  
*Chairman.*

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So ordered.

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The Committee on Legislative Expenditures, to whom was referred,

No. 235, S.,

A bill relating to the publication of the Legislative Manual, and amendatory of chapter 72, of the laws of 1873.

Have had the same under consideration, and direct me to report it back with an amendment, and when so amended, that it do pass.

J. HENRY TATE,  
*Chairman.*

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The Joint Committee on Charitable and Penal Institutions to which was referred,

No. 277, S.,

A bill to authorize the State Board of Charities and Reform to transfer insane from one hospital to another, in certain cases.

Have had the same under consideration, and have instructed me to report the bill back with a substitute, and recommend the adoption of the substitute, and the passage of the bill when so amended.

H. N. DAVIS,  
*Chairman.*

The Committee on State Affairs to whom was referred,  
No. 130, S.,

A bill to authorize the Secretary of State to order the binding of the report of the State Board of Charities and Reform.

No. 245, S.,

A bill for the preservation of fish in Lake Marion, Dane county.

No. 104, S.,

A bill to repeal chapter 97, of the laws of 1870, entitled, an act to exempt from execution, a printing press and presses, and printing material to the amount of fifteen hundred dollars.

Respectfully report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that they do pass.

And they further report that they have considered,

No. 202, A.,

A bill relating to the invention and encouragement of steam or other mechanical agents on highways, and amendatory of chapter 134, laws of 1875,

And have instructed me to report the same back with a recommendation that it be concurred in.

L. W. BARDEN,  
*Chairman.*

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The Committee on Military Affairs, to whom was referred,  
No. 69, A.,

A bill to amend chapter 142, of laws of 1875, entitled, an act to amend section 3, of chapter 82, general laws of 1870, entitled, an act relating to the preservation of the colors and flags of our late regiments.

Have had the same under consideration and instructed me to report the same back, with amendment, and recommend that it be concurred in when so amended.

D. E. WELCH,  
*Chairman.*

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The Committee on Legislative Expenditures, to whom was referred,

No. 44, S.,

A bill to repeal chapter 58, of the general laws of 1870, entitled, "an act to provide stationery and postage stamps for officers and employees of the Senate and Assembly."

Have had the same under consideration and directed me to report it back, with an amendment, and when so amended that it do pass.

J. HENRY TATE,  
*Chairman.*

The Committee on Federal Relations, to whom was referred,  
Mem. No. 4, S.,

In reference to a sinking-fund.

Report the same back with a substitute, and recommend the  
adoption of the substitute.

G. E. BRYANT,  
*Chairman.*

Said memorial became,

M. C. No. 14, S.,

Memorial to Congress for amendments to the patent laws.

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### REPORTS OF SELECT COMMITTEES.

The Select Committee on Town Insurance Companies, to which  
was referred,

No. 269, A.,

A bill authorizing the formation of insurance companies against  
loss by hail, to all kinds of grain, fruits, hops, and legumen.

Report the same back, and recommend concurrence in its passage.

R. E. DAVIS,  
*Chairman.*

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The select committee, to whom was referred,

No. 208, S.,

A bill requiring notice to be given in cases where damages may  
happen to any person on account of insufficiency or want of repair  
of any highway, bridge, or sidewalk in any incorporated village.

Have had the same under consideration, and report the same  
back with an amendment, and recommend its reference to the  
Committee on Judiciary.

D. E. WELCH,  
*Chairman.*

So ordered.

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### SENATE RESOLUTIONS CONSIDERED.

Jt. Res. No. 21, S.,

Relating to the adjournment of the legislature.

Introduced on Saturday by Senator Tate.

The resolution was referred to the Committee on Judiciary.



## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to present to you for signature,  
No. 82, A.,

An act to enable boards of underwriters, incorporated by or under the laws of the State of Wisconsin to establish and maintain a fire patrol.

No. 137, A.,

An act relating to the second county court of Brown county, and amendatory of sections 4 and 5, of chapter 9, of the laws of 1875.

And return you,

No. 60, S.,

An act to authorize the Secretary of State to order the binding of the report of the State Superintendent of Public Instruction.

No. 3, S.,

An act to amend an act, entitled, an act to incorporate the Mineral Point & Portage City Railroad Company, approved October 13, 1856.

No. 58, S.,

An act to amend section 1, of chapter 46, of the general laws of 1869, entitled, "an act to protect the lands and timber thereon, granted to the St. Croix and Lake Superior Railroad Company."

No. 70, S.,

An act to fix the time for holding the terms of the several circuit courts in the seventh judicial circuit.

No. 49, S.,

An act relating to registration of electors and amendatory of section 1, of chapter 232, of the general laws of 1875.

No. 39, S.,

An act to appropriate to Conrad Krez, a sum of money.

No. 101, S.,

An act to amend section 1, and repeal section 7, chapter 146, of the general laws of 1872, entitled, an act to authorize the organization of corporations for other than manufacturing, mercantile, insurance, banking, transportation or trading purposes.

No. 76, S.,

An act to authorize the construction of pontoon bridge or railway ferry, from some feasible point in Buffalo county, State of Wisconsin, to some feasible point in the State of Minnesota.

No. 274, S.,

An act amendatory of chapter 72, of the private and local laws of 1858, relating to the city of Ripon.

No. 98, S.,

An act to amend chapter 46, of the general laws of 1869, entitled, an act to protect the lands and timber thereon granted to the St. Croix & Lake Superior Railroad Company.

M. C. No. 8, S.,

Memorial to Congress for an increased appropriation for the extension of the signal service.

M. C. No. 10, S.,  
Memorial to Congress for the establishment of a tri-weekly mail route, from Marquette, in Green Lake county *via* Kingston to Portage, in Columbia county.

The same having been signed by the Speaker.

Said bills were signed by the President.

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 410, A.,

A bill to amend chapter 262, of the laws of 1875, entitled, "an act to revise, consolidate, and amend an act to incorporate the city of Green Bay, and the several acts amendatory thereof."

No. 368, A.,

A bill relating to petit jurors in Marquette county.

And has concurred in,

No. 184, S.,

A bill to regulate the license to be paid by railroad companies.

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### ASSEMBLY MESSAGE CONSIDERED.

No. 410, A.,

Was referred to the Committee on Incorporations.

No. 368, A.,

Was referred to the Committee on Judiciary.

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### ASSEMBLY BILLS READY FOR A THIRD READING.

No. 6, A.,

A bill to compel assessors and county clerks to make certificates prescribed by the provisions of chapter 38, laws of 1874.

No. 68, A.,

A bill to authorize municipal corporations to establish sinking-funds.

No. 240, A.,

A bill to authorize the improvement of streets in the third ward of the city of Milwaukee, and to authorize the levy of a special tax therefor in said ward.

No. 136, A.,

A bill to amend chapter 53, private and local laws of 1872, entitled, an act to provide for county printing in the county of Wau-paca.

M. C. No. 4, A.,

For the establishment of a tri-weekly mail-route from Waupaca, to Plainfield, in the county of Waushara.

Were severally read a third time and concurred in.

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SENATE BILLS READY FOR A THIRD READING.

No. 156, S.,

A bill relating to the Supreme Court.

No. 169, S.,

A bill relating to county roads and amendatory of section 132, of chapter 152, of the general laws of 1869, entitled, "an act to codify the laws of this State, relating to highways and bridges."

No. 191, S.,

A bill to amend chapter 133, of private and local laws of 1857, entitled, an act to consolidate and amend the act, to incorporate the city of Kenosha, and the several acts amendatory thereof.

No. 194, S.,

A bill to authorize the building and maintaining a dam in the Wisconsin River, in the city of Portage.

No. 240, S.,

A bill relating to the powers of county boards of supervisors, and amendatory of section 2, of chapter 152, laws of 1875.

No. 269, S.,

A bill to amend section 29, chapter 56, general laws of 1870, entitled, an act to provide for the incorporation and government of fire and inland navigation insurance companies.

Were severally read a third time and passed.

No. 94, S.,

A bill to appropriate a certain sum to the State Historical Society.

Was read a third time and passed by the following vote:

Ayes—Senators Baker, Barney, Barron, Blair, Bryant, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, Mitchell, Nevins, Reed, Rounds, Schuette, Scott, Silverthorn, Tate, and Wilmot—25.

Nays—Senators Barden, Cavanagh, and Potter—3.

No. 151, S.,

A bill to repeal section 15, of chapter 533, of the general laws of 1865, entitled, "an act to accept the grant of lands made to the State of Wisconsin, by an act of Congress, approved June 25, 1864, to aid the construction of a military road from Wausau, Marathon county, to Lake Superior," and to amend section 10, of said chapter 533, by appropriating a sum of money therein named.

Was read a third time, and passed by the following vote:

Ayes—Senators Baker, Barney, Barron, Blair, Cavanagh, H. N. Davis, R. E. Davis, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, Mitchell, Nevins, Rounds, Schuette, Scott, Silverthorn, Tate, Welch, and Wilmot—24.

## SENATE BILLS ON THEIR ENGROSSMENT.

No. 245, S.,

A bill for the preservation of fish, in Lake Marion, Dane county.

No. 266, S.,

A bill to detach certain territory from the city of Fort Howard and attach the same to the town of Ashwabanon, Brown county.

No. 270, S.,

A bill to appropriate a sum of money therein named to pay for additional copies of the Legislative Manual for 1876.

No. 291, S.,

A bill to amend chapter 203, of the laws of Wisconsin of 1875, entitled, "an act to provide for the revision of the statutes."

Were ordered engrossed for a third reading.

The amendments to,

No. 167, S.,

A bill to legalize the acts and proceedings of a town meeting in the town of Medford, in the county of Taylor, held on the 15th day of October, A. D., 1875, for the purpose of voting on the location of the county buildings, the price to be paid for the same, and the manner of paying for the same.

No. 193, S.,

A bill to enable certain towns, cities, and villages to construct and improve harbors.

No. 266, S.,

A bill to attach Lincoln county to the 8th congressional district.

No. 252, S.,

A bill relating to the issue of State warrants.

No. 277, S.

A bill to authorize the State Board of Charities and Reform to transfer insane persons from one hospital to another, in certain cases.

Were adopted, and the bills were ordered engrossed for a third reading, and,

No. 167, S.,

Was ordered printed as amended.

The amendments to,

No. 237, S.,

A bill to authorize the directors of the Wisconsin State Prison to lease the labor of the convicts therein confined.

Were adopted by the following vote :

Ayes—Senators Baker, Barden, Barney, Blair, Bryant, H. N. Davis, Douglas, Downs, Eastman, Flint, Hathaway, Hiner, Hudd, Nevins, Potter, Reed, Schuette, Scott, Silverthorn, Welch, and Wilmot—21.

Nays—Senators Barron, Cavanagh, R. E. Davis, Farr, Jacobs, Mitchell, Rounds, and Tate—8.

The bill was ordered engrossed for a third reading by the following vote:

Ayes—Senators Baker, Barden, Barney, Blair, H. N. Davis, Douglas, Downs, Eastman, Flint, Hathaway, Hiner, Hudd, Nevins,

Potter, Reed, Schuette, Scott, Silverthorn, Welch, and Wilmot—20.

Nays—Senators Barron, Cavanagh, R. E. Davis, Farr, Jacobs, Mitchell, Rounds, and Tate—8.

The amendment to,  
No. 44, S.,

A bill to repeal chapter 58, of the general laws of 1870, entitled, "an act to provide stationery and postage stamps for officers and employees of the Senate and Assembly."

Was adopted, and on motion of Senator Tate,

The rules were suspended, and the bill was read a third time and passed and the title was amended so as to read as follows:

"A bill to authorize the board of trustees of the village of Viroqua, to remove and re-inter the remains of persons buried in the old burying ground.

The substitute to,

Mem. No. 4, S.,

Memorial of S. D. Carpenter, and others, in reference to sinking funds.

Was adopted, and the memorial was ordered engrossed for a third reading.

The Senate refused to order the engrossment of,

No. 104, S.,

A bill to repeal chapter 97, of the laws of 1870, entitled, "an act to exempt from execution a printing press and presses, and printer's material to the amount of fifteen hundred dollars."

By the following vote:

Ayes—Senators Barden, Bryant, Downs, Eastman, Hathaway, Schuette, and Silverthorn—7.

Nays—Senators Baker, Barney, Barron, Blair, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Farr, Flint, Hiner, Hudd, Jacobs, Mitchell, Nevins, Potter, Reed, Rounds, Scott, Tate, Welch, and Wilmot—22.

Mem. No. 8, S.,

In relation to claim of D. K. Tenney for services rendered to the committee to revise and codify the laws of the State relating to the assessment and collection of taxes.

Was referred to the Committee on Education.

No. 180, S.,

A bill to authorize the Secretary of State to order the binding of the report of the State Board of Charities and Reform.

Was recommitted to the Committee on Claims.

No. 26, S.,

A bill to amend chapter 111, of the revised statutes, entitled, of divorce.

Was postponed until Thursday, March 2.

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#### ASSEMBLY BILLS ON THEIR THIRD READING.

No. 55, A.,

A bill to authorize the second ward of the city of Green Bay, and

the second ward of the city of Fort Howard, to rebuild, repair, and maintain the middle bridge across the river between Green Bay and Fort Howard.

No. 269, A.,

A bill authorizing the formation of insurance companies against loss or damage by hail to all kinds of grain, fruits, hops, and legumes.

No. 202, A.,

A bill relating to the invention and encouragement of steam or other mechanical agents on highways, and amendatory of chapter 134, laws of 1871.

Were severally ordered to a third reading.

The amendments to,

No. 69, A.,

A bill to amend chapter 142, of laws of 1875, entitled, "an act to amend section 3, of chapter 82, of general laws of 1870, entitled, an act relating to the preservation of the colors and flags of our late regiments."

Was adopted, and the bill was ordered to a third reading.

No. 198, A.,

A bill to revive and restore chapter 188, of the general laws of 1872, entitled, "an act to provide for the incorporation of villages," as it was originally enacted; to restore certain laws relating to the same, and to legalize the assessment, levy, and collection of taxes in villages incorporated under said act.

Was referred to the Committee on Judiciary.

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On motion of Senator Tate,  
The Senate adjourned.

TUESDAY, FEBRUARY 29, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

Prayer by the Rev. E. D. Huntley.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Potter, Rounds, Ryan, Schuette. Scott, Silverthorn, Tate, Welch, and Wilmot.

Senator Barron called up the amendments to the joint rules and rules of the Senate noticed by him on yesterday, and moved their adoption.

The motion prevailed.

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Senator Farr moved that the vote by which the Senate refused to order the engrossment of,

No. 104, S.,

A bill to repeal chapter 97, of the laws of 1870, entitled, "an act to exempt from execution a printing press and presses, and printer's material to the amount of fifteen hundred dollars."

Be reconsidered.

The motion prevailed.

The bill was then ordered engrossed for a third reading.

Senator Hudd moved that the memorial of M. L. Martin,

No. 5, S.,

Be recalled from the Committee on Claims; which motion prevailed.

## COMMUNICATIONS.

The President presented the following communication:

PARK HOTEL, MADISON, February 28, 1876.

*To the Honorable Senate of the State of Wisconsin:*

SENATORS:—You have before you for consideration No. 98, Assembly, which is the notorious "Dalles bill;" a bill which authorizes the city of Eau Claire to construct a dam sixteen feet in height across the Chippewa River, at any point within the city limits which it may elect, covering a distance of more than six miles of river channel, nominally for municipal purposes, but really and primarily for private uses and private benefits.

The advocates of this measure assert with great apparent confidence that your concurrence is already assured; nevertheless I venture to ask at your hands a careful, critical, and unbiased examination of this most extraordinary bill.

To be sure the subject is not altogether a new one, it having besieged the legislature under various forms, pretenses, and guises at frequent intervals during the past sixteen years; in 1860, when it experienced a double defeat at the hands of the executive after its covert passage, and by the Assembly on its subsequent introduction in a modified form; in 1867, when it was thoroughly considered and was overwhelmingly defeated in the Assembly; in 1870, when it was closely contested in, and passed the Assembly too late for consideration and action by the Senate; in 1871, when it passed both branches by a majority of one in each, and was vetoed by the executive on the grounds of corruption and bribery; in 1872, when, originating in the Assembly, it commanded so little strength that it was abandoned by its friends, was committed to the member introducing it to perform the ignoble service of a "dead head;" and again, in 1875, when it assumed the guise, or more properly speaking, *disguise* in which it now comes to you, passed both houses, was approved by the Governor, and in a case brought to test its validity was adjudged by the highest judicial tribunal of the State to be unconstitutional. While the bill now before your honorable body is the lineal descendant of the bill of 1860, covering the same intent, and having the same primary and paramount objects and purposes, nevertheless the situation has greatly changed, adding new objections, and making old ones more potential. The interests to be affected by the proposed dam are vastly increased and more diversified, little hamlets have grown to important and populous cities, the hunting grounds of the wild Chippewa are now teeming with agriculture, water-powers have been developed, and the incidental industries multiplied, and the commerce of this most valuable river now aggregates more than five million dollars per annum.

Our State, too, is awakening to the importance of fostering and protecting her natural highways, the free highways of the people, the poor as well as the rich—the conservators of the people's rights against unjust discriminations and extortions, and to this end she



resisted the attempt of Duluth to destroy the Superior City Harbor for her own upbuilding—to that end you have wisely placed a contingent fund in the hands of our Governor, to be used in the interest of the Fox and Wisconsin River Improvement, under the auspices of the general government, which has already expended a million dollars in the improvement of those rivers; and to that end this legislature has memorialized Congress for an appropriation to improve the navigation of the Chippewa River, a work already undertaken, the examinations and surveys for that purpose completed, and the work likely to go forward during the present year, unless the State policy shall be suddenly changed, by committing six miles of this chief of her navigable waters to the private use, guardianship, and control of the city of Eau Claire. Such an act would indeed be anomalous.

If it were a fact that the enactment of this measure and its affirmation by the courts would result in paupering only one citizen of the State, such a prospective result might be passed lightly over; but when it shall appear that the private fortunes of thousands will be jeopardized, and many absolutely destroyed by it; that a large, prosperous, and growing section of the State, including a city of 6,000 souls, a large and rapidly settling agricultural district, numerous valuable water-powers, some of which are already developed, timbered lands more extensive than any in the known world, saw-mills with an annual cutting capacity of more than eighty million feet of lumber, and other mill products in proportion, giving employment to thousands of laborers and supporting other industries and other interests; when it is known that all these vast interests have been developed by, and are dependent upon, the advantages afforded by this river, and must be affected adversely by the passage of this bill to an extent entirely beyond computation, it becomes a matter worthy of more than ordinary consideration.

In the opinion of the undersigned, the fact that this bill is essentially the same as the statute of last winter, which was declared to be null and void, as I have before stated, would be sufficient ground for non-concurrence, but should such not be your determination, its general policy and consequences should command your most careful and critical scrutiny. How is this to be done? Certainly not by simply listening to the contradictory statements of the friends and opponents of the bill. Such was our position in the other branch, and we asked the committee of that house, to receive sworn testimony. This was disallowed, the statements of the opposition discredited, and consequently a favorable report and the passage of the bill by that body. We now earnestly ask your honorable body to take such steps as will enable you to determine the facts affecting this momentous question, irrespective of the *ipse dixit* of either party, before saying aye or nay thereupon.

This result may be attained in two different modes, without delay: one, by requiring each and every allegation of fact made before the committee having the bill in charge to be made under oath; the other, the personal inspection, on the part of the entire Senate, of the site of the proposed dam and other works, as well as all oth-

er improvements and interests to be affected, favorably or unfavorably, in the cities of Eau Claire and Chippewa Falls and vicinity. This would engage two days of your time, employing the night-time to go and return; and, should it result in the final determination of this vexed and expensive question, it will be a service of inestimable value to the State. If, upon deliberation, you shall decide to adopt the latter mode, I hereby tender the necessary transportation and other expenses attending such tour of inspection, free of cost to the State. Awaiting your pleasure,

I am, very respectfully, your obedient servant.

THAD. C. POUND.

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Referred to Committee on Incorporations, and ordered spread on the journal.

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#### MEMORIALS PRESENTED AND REFERRED.

By the President:

Mem. No. 185, S.,

Of T. C. Pound, relating to bill, No. 98, A.

To Committee on Incorporations.

By Senator Eastman:

Mem. No. 186, S.,

Of Joseph Brown and 77 others against the taxation of church property.

To Committee on State Affairs.

By Senator Flint:

Mem. No. 187, S.,

Of Owen Cole, C. W. Bailey, John Wise Miller, and 27 other citizens, of the town of Stanton, Dunn county, for the repeal of the laws exempting the lands of the West Wisconsin Railway Company from taxation.

To Committee on Railroads.

By Senator Flint:

Mem. 188, S.,

Of W. H. Smith, W. H. Thompson, David McRoberts, and 41 other citizens, of the town of Eau Galla, Dunn county, for the repeal of the laws exempting the lands of the West Wisconsin Railway Company from taxation.

To Committee on Railroads.

By Senator Flint:

Mem. No. 189, S.,

Of M. G. Smith, Garrett Auth, J. A. Gray, and 74 others, pray-

ing for the repeal of the laws exempting the lands of the West Wisconsin Railway Company from taxation.

To Committee on Railroads.

By Senator Flint:

Mem. No. 190, S.,

Of H. Barber and 27 other citizens, of the town of Frankfort, Dunn county, for the repeal of the laws exempting the lands of the West Wisconsin Railway Company from taxation.

To Committee on Railroads.

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### REPORTS OF COMMITTEES.

The Committee on Enrolled Bills have presented the following to his excellency, the Governor, for signature:

Jt. Res. No. 5, S.,

Relating to a consolidated Centennial Directory of the general and several State governments of the United States of America.

No. 103, S.,

An act to appropriate a sum of money therein named to the Industrial School for Boys, for the purpose of introducing the manufacture of boots and shoes.

No. 92, S.,

An act to authorize the taking of fish in the public waters of the State for the purpose of artificial propagation.

No. 27, S.,

An act to appropriate to William P. Stowe, the sum of five hundred and twenty-seven dollars and interest from March 7, 1863.

No. 28, S.,

An act to amend chapter 22, of the laws of 1875, entitled, "an act to amend chapter 36, of the laws of 1874, entitled, an act for the preservation of fish in Dell Creek."

No. 202, S.,

An act to amend section 12, of chapter 119, laws of 1872, entitled, "an act in relation to railroads, and the organization of railroad companies."

No. 59, S.,

An act to amend chapter 222, laws of 1852, entitled, "an act to incorporate the Milwaukee Musical Society," approved April 5, 1852.

R. J. FLINT,

*Chairman.*

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The Committee on Enrolled Bills have presented the following to his excellency, the Governor, for signature:

No. 62, S.,

An act relating to the preservation of fish in Silver Lake and Fish Lake, and the waters connecting them, in the county of Waushara.

No. 58, S.,

An act to amend section 1, of chapter 46, of the general laws of 1869, entitled, "an act to protect the lands and timber thereon, granted to the St. Croix & Lake Superior Railroad Company."

No. 70, S.,

An act to fix the time for holding the terms of the several circuit courts in the seventh judicial circuit.

No. 3, S.,

An act to amend an act entitled, an act to incorporate the Mineral Point & Portage City Railroad Company, approved October 13, 1856.

M. C. No. 10, S.,

Memorial to Congress for the establishment of a tri-weekly mail route from Marquette, in the county of Green Lake, via Kingston to Portage, in Columbia county.

M. C. No. 8, S.,

Memorial to Congress for an increased appropriation for the extension of the signal service.

No. 98, S.,

An act to amend chapter 46, of the general laws of 1869, entitled, an act to protect the lands and timber thereon, granted to the St. Croix & Lake Superior Railway Company.

No. 76, S.,

An act to authorize the construction of a pontoon bridge or railway ferry from some feasible point in Buffalo county, State of Wisconsin, to some feasible point in the State of Minnesota.

No. 274, S.,

An act amendatory of chapter 72, of the private and local laws of 1858, relating to the city of Ripon.

No. 101, S.,

An act to amend section 1, and repeal section 7, of chapter 146, of the general laws of 1872, entitled, an act to authorize the organization of corporations for other than manufacturing, mercantile, insurance, banking, transportation, or trading purposes.

No. 49, S.,

An act relating to registrations of electors, and amendatory of section 1, of chapter 232, of the general laws of 1875.

No. 39, S.,

An act to appropriate to Conrad Krez a sum of money therein named.

No. 60, S.,

An act to authorize the Secretary of State to order the binding of the report of the State Superintendent of Public Instruction.

R. J. FLINT,

*Chairman.*

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The Committee on the Judiciary, to which were referred,

No. 142, A.,

A bill to amend section 2, of chapter 78, of the general laws of

1873, entitled, "an act to amend sections 17 and 18 of chapter 133, of the general laws of 1868, entitled, 'an act to provide for the assessment of property for taxation, and the levy of taxes thereon.'"

No. 134, A.,

A bill authorizing the correction of conveyances of real estate in certain cases.

No. 171, A.,

A bill authorizing the taking of depositions in certain cases.

No. 172, A.,

A bill to legalize the official acts of Cyrus Lanyon, notary public.

No. 52, A.,

A bill to constitute the clerk of the circuit court of Waukesha county, in Wisconsin, clerk of the county court of said county.

Has had the same under consideration, and instructed me to report the same back and recommend that they be concurred in.

HENRY D. BARRON,

*Chairman.*

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The Committee on Judiciary, to which were referred,

No. 219, S.,

A bill to prohibit county, city, village, or town treasurers from holding their office more than two terms in succession.

Mem. No. 93, S.,

Petition of Lorenzo Guth and forty others, citizens of Washington county, asking for a law to make treasurers of municipal corporations ineligible to the same office for two consecutive terms.

Has had the same under consideration, and instructed me to report said bill and memorial back with the recommendation that the bill be indefinitely postponed, the opinion of the committee being that said bill is in violation of a provision of the constitution of the State.

H. D. BARRON.

*Chairman.*

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The Committee on State Affairs, to whom was referred,

No. 41, A.,

A bill for the preservation of duck and other wild fowl.

Respectfully report that they have had the same under consideration, and have instructed me to report the same back to the Senate with an amendment, and recommend that it do pass when so amended.

L. W. BARDEN,

*Chairman.*

On motion of Senator Barden,

The rules were suspended, and the bill was considered at this time.

The amendments were adopted, and the bill was read a third time and passed.

The Committee on Legislative Expenditures, to whom was referred,

No. 45, S..

Entitled, an act to repeal chapter 8, of the laws of 1867, entitled, an act relating to reporters of daily newspapers.

Have had the same under consideration, and direct me to report it back with an amendment, and when so amended recommend that it do pass.

J. HENRY TATE,  
*Chairman.*

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The Committee on Privileges and Elections, to which was referred, That portion of the Governor's Message relating to State Canvassers,

Have had the same under consideration, and instruct me to report the accompanying bill, and recommend its passage.

A. FARR,  
*Chairman.*

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Said bill became,

No. 293, S.,

A bill to amend section 76, of chapter 7, of the revised statutes, entitled of general and special elections, and the manner of conducting the same, and the canvass.

To general file.

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The Committee on Federal Relations, to whom was referred,

The invitation of the mayor of Atlanta, Georgia, addressed to the President and members of the Senate of Wisconsin, conveying an invitation to the legislature of Wisconsin to visit the State of Georgia, and in which communication occurs the following expression of the object of the contemplated excursion: "We frankly admit that our chief object in inviting representative citizens of the liberal west is that they may see and examine for themselves, not only our vast resources, but more especially to have them the better understand the friendly feeling existing among our people toward our northern brethren, with the further hope of setting at rest forever the clamors so often raised, and kept alive by misrepresentations made because of a want of a knowledge of the true facts. Ours is now a common country—our interests are one; we buy your produce, you our cotton, &c.; why longer remain separate? We are satisfied your report will be such as to remove all doubts, and do much toward harmonizing the sections."

Would respectfully report:

We fully appreciate the kind and fraternal spirit and language in which the invitation is made, recognizing a pleasant and happy beginning of future friendly social, political, and commercial relations between sections of the Union, that though lately in warlike

arms against each other, now are harmoniously inclined to extend the arms of a common and re-united brotherhood, knowing no north, no south, no east, no west, in our loves, hopes, and aspirations for the continued future of the American Union. Wisconsin will ever second Georgia, or any other State of that Union, in the effort to bury out of sight and memory the political faults and errors of the past.

Let us bury the past, the coming waits  
The while with magic hand on memory's gate;  
A welcome give to the city-robed guest,  
Bringing our eagle back to its ancient nest!  
As rests our troubled ark on victory's hill,  
Send forth the dove, the olive in its bill,  
Heaven shall smile; a radiant arch again,  
Attests God's bridging the gulf for angry men.

In replying, then, to the request to once more unite with our brothers of the South, in a renewed social and commercial interchange, we, on behalf of the Senate of Wisconsin, representing in part a million and a quarter of people, pledge our State to unite with the citizens of Georgia in a renewed covenant of fidelity to the common ark of national security—"the Union now and forever." Your committee submit the following resolutions to accompany this report:

*Resolved*, That the Senate of Wisconsin receive with pleasure the invitation of the mayor of Atlanta, Georgia, to an excursion from Chattanooga, in Tennessee, to Atlanta and other prominent cities and points in the State of Georgia.

*Resolved*, That all Senators, officers, and employees of the Wisconsin State Senate, who desire and can join in the contemplated excursion, without delay notify the mayor of Atlanta, Georgia, of their intention to unite in the inter-State visit.

*Resolved further*, That the Chief Clerk of the Senate transmit to the mayor of Atlanta, Georgia, a copy of the foregoing report, together with these resolutions.

G. E. BRYANT,  
ASAHEL FARR,  
THOS. R. HUDD,  
*Committee.*

The resolutions lie over under the rules.

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The Committee on Federal Relations, to whom was referred that part of the Governor's message as relates to Centennial, ask leave to report the accompanying memorial, and recommend its passage.

GEO. E. BRYANT,  
*Chairman.*

Said memorial became,  
M. C. No. 15, S.,

Memorial to Congress for an increase of mail-service along mail-

route No. 25,151, from Lake Five to Hartford, in Washington county, Wisconsin.

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### REPORTS OF SELECT COMMITTEES.

The select committee, to which was referred,  
Mem. No. 126, S.,  
Memorial for a State board of health.

Have had the same under consideration, and instructed me to report the same back with recommendation that 1,000 copies of the petition to the Governor be ordered printed for circulation.

A. FARR,  
*Chairman.*

The report of the committee was adopted.

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The select committee, to which was referred,  
No. 97, A.,

A bill relating to justices of the peace and constables in the city of Milwaukee, and to repeal chapter 332, of the laws of 1875.

Have had the same under consideration and report the same back with the recommendation that it be concurred in.

JNO. L. MITCHELL,  
W. H. JACOBS,  
*Committee.*

The select committee, to whom was referred,  
No. 15, S.,

A bill making an appropriation to the Northern Wisconsin Agricultural and Mechanical Association.

Report the same back with amendments, and recommend the passage of the same when so amended.

W. P. ROUNDS,  
*Chairman.*

The amendments were adopted.

On motion of Senator Hudd,

The rules were suspended, the bill was read a third time and passed by the following vote:

Ayes—Senators Baker, Barney, Barron, Blair, Bryant, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Flint, Hathaway, Hiner, Hudd, Mitchell, Nevins, Rounds, Ryan, Scott, Silverthorn, and Wilmot—21.

Nays—Senators Barden, Eastman, Schuette, Tate, and Welch—5.

The title was amended so as to read as follows:

A bill to provide for the publication of the transactions of the Northern Wisconsin Agricultural and Mechanical Association.



The select committee, to which was referred,  
No. 57, S.,

A bill relating to verdicts of juries, and

Jt. Res. No. 17, S.,

Proposing an amendment to section 5, of Article I, of the constitution of the State of Wisconsin, so as to dispense with the requirement of unanimous verdicts of juries.

*Resolved by the Senate, the Assembly concurring,* That section 5, of Article I, of the constitution of the State of Wisconsin, be so amended as to read as follows: Section 5. The right of trial by jury shall remain inviolate and shall extend to all cases at law, without regard to the amount in controversy; but a jury trial may be waived by the parties in all cases, in the manner prescribed by law. The legislature may provide, however, that a less number of jurors than the entire number impaneled to try any cause or action may return a verdict,

Have had the same under consideration, and respectfully submit the following report:

Trial by jury may be properly classed with the most venerable of our cherished institutions of civil government. It comes down to us from the remote past. By reason of its great antiquity there is much doubt and uncertainty concerning its precise origin. It is not the province of your committee to speculate or theorize upon the dim records and uncertain traditions that cluster around its cradle. It is enough for us to know that the present form of jury-trial, is our direct inheritance from English ancestors. That it has been productive of vast benefit to the human race in times past; that it has been a shield for the common people against the encroachments of power in monarchical governments, may be admitted. But a system which may have acquired renown in one country may, when applied to another under a new order of things, be productive of inconvenience, uncertainty, and oft-times injustice.

The right of trial by jury should by no means be abolished, though your committee is strongly of the opinion that a change in some of the essential features would make the system more in accord with the spirit of our free institutions, and better serve to insure equal and exact justice between man and man. The particular change that seems to be desired, is to abolish the requirement of unanimity in rendering a verdict. The principle involved certainly seems to be in accord with reason and common sense. It is no new theory. Even prior to the present system verdicts were made without this requirement. In fact, the unanimous verdict of twelve jurors appears to be rather the result of accident than design. By reference to a distinguished legal authority the following statement may be found:

"The unanimity of twelve men, so repugnant to all experience of human conduct, passions, and understandings, could hardly, in any age, have been introduced into practice by a deliberate act of the legislature. But that the life, and perhaps the liberty and property of a subject, should not be affected by the concurring judgment of a less number than twelve where more were present, was a

law founded in reason and caution, and seems to be transmitted to us by the common law, or from immemorial antiquity. The grand assize might have consisted of more than twelve, yet the verdict must have been given by twelve or more; and if twelve did not agree, the assize was afforced, that is, others were added till twelve did concur. This was a majority, and not unanimity. A grand jury may consist of any number from twelve to twenty-three inclusive, but a presentment ought not to be made by less than twelve. The same is also true of an inquisition before the coroner. In the high court of parliament, and the court of the lord high steward, a peer may be convicted by the greater number; yet there can be no conviction unless the greater number consists of at least twelve. Under a commission of lunacy the jury was seventeen, but twelve joined in the verdict. A jury upon a writ of inquiry may be more than twelve. In all these cases, if twelve only appeared, it followed as a necessary consequence that to act with effect they must be unanimous. Hence it is suggested, as a conjecture respecting the origin of the unanimity of jurors, that, as less than twelve, if twelve or more were present, could pronounce no effective verdict, when twelve only were sworn, their unanimity became indispensable." Cooley's Black., vol. 2, p. 314, (note.)

Thus was the requirement of unanimity in our present jury system crystalized into common law; and though centuries have passed away since the time of its adoption, though the state of society, the circumstances and conditions that brought it into being, and even the form of government itself, have materially changed, yet this ancient relic of an irrepressible conflict, that has long since passed away, still clings to our system of jurisprudence in spite of its apparent faults and palpable inconsistencies.

The attempted introduction of the English system of trial by jury into Scotland, in 1815, very forcibly illustrates the effect of the illogical requirement of unanimous verdict upon our enlightened people, who formerly decided their causes by the verdict of a majority, and who were not afflicted with a senseless veneration for an antique absurdity. The act of parliament designed to confer upon the Scottish people this so-called "palladium of liberty," contained the following provisions:

*Be it enacted, &c.,* That all verdicts shall be given by the whole number of the jury agreeing to the verdict, &c. 55, Geo. 3, chap. 42, sec. 34.

This statute, so repugnant to a people not trained to traditional veneration for the jury system, proved to be exceedingly unpopular. They could not see a logical conformity in making twelve men swear that they would do justice according to their consciences, and then coercing them by confinement and starvation until they had agreed to be all of one mind. In speaking of the innovation, a Scottish judge is said to have remarked that "no act of Parliament will make twelve Scotsmen of the same opinion on any given point," and the history of jury trials in this country will furnish many examples, showing that the Scotch juries are not the only juries that agree to "disagree."

In obedience to the popular demand, the rule of unanimity was relaxed in 1854 by the following section in an act of parliament of that year:

*Be it enacted, &c.,* From and after the passage of this act, if upon the trial by jury of any civil cause in the court of session in Scotland the jury are unable to agree upon a verdict, and if after having been kept in deliberation for a period of six hours, nine of the said jury shall agree, the verdict agreed to by such nine may be returned as the verdict of the jury, and shall be taken and shall have the same force and effect as if found unanimously by the whole of said jury, any statute to the contrary notwithstanding. (17 and 18, Vict., chap. 59.)

In 1859 an act was passed, (22 and 23, Vict., chap 7,) giving still greater latitude to the verdicts of jurors; providing that if after *three hours'* deliberation, nine of the jury agree, a verdict may be returned, and that the jury may be discharged without a verdict after six hours' deliberation.

The foregoing furnishes at least one example where, after a thorough trial of the present jury system, for a period of about forty years, the requirement of unanimity was abandoned, and the right of nine jurors of the twelve to return a verdict was established by law.

In an article published some years ago in the *Knickerbocker Magazine*, a distinguished writer set forth his objections to the present system in an able contribution, which so clearly presents the case that we make the following extract:

\* \* \* \* \* "In civil cases the man who sues should stand on the same footing with the man that is sued. The legal rights of each should be the same. The jury trial, requiring the agreement of twelve men, is destructive of this equality. For although the creditor have the suffrages of eleven of the jury in his favor, that of one juror given in favor of the debtor is permitted to outweigh those of eleven. Laws are established to guard against fraud. Is there no danger of fraud when it is in the power of the defendant, by corrupting one juror, to frustrate the operation of justice? And, supposing a moderate degree of corruption to exist among us, what is more likely than that one man, vulnerable to seduction, can be selected from twelve? This argument of itself would seem to be decisive against a jury trial in civil cases. There are, however, other arguments scarcely less powerful. In cases of any difficulty, it is no easy task to command the full attention of twelve men in the midst of a crowd of spectators; and one man will insensibly rely upon the vigilance of another. In consultation, the body will be too numerous for a cool and dispassionate discussion. Their capacities will be generally very unequal, and they will be guided too often by a tenacious adherence to ill-digested thoughts, or by a spirit of concession. In cases in which their feelings are but little interested, they will feel a constant impulse to sacrifice their own opinions in order to get rid of an irksome duty. Facts abundantly show the extreme difficulty of obtaining the concurrence of twelve men, or that under the restraints

imposed upon them, they too frequently compromise, or submit to lot, their varying opinions. Hence, the truth is, that this boasted rampart has already lost much of its original character, and is experienced, in many instances, to be an evil rather than a benefit.

That it is promotive of delay is most obvious from a single consideration. In proportion to the difficulty of obtaining the concurrence of twelve men, will be the difficulty of drawing an action to a close; and the history of courts proves, that jury after jury is frequently dismissed, from their inability to agree."

In this connection, your committee cannot forbear to reproduce an extract from a vigorous article upon the same subject, which appeared in the *National Intelligencer*, published a number of years ago. The writer sets forth the absurdity of a unanimous verdict in the following positive terms:

\* \* \* "It were strong language to use we acknowledge, but, it is a settled opinion with us, that *as much felony is committed within the jury boxes as is brought before them for trial!* At any rate, more *perjury* is there perpetrated, than is ever put regularly on trial before courts of justice; and most of this is brought about by the obstinacy or stupidity of the minor number. It is not often that the *jury* decides the case. It is perhaps a single one of the number.

A single juror cannot, to be sure, give a substantive verdict against the opinions of his eleven compeers, but he can always, and very often *does*, perform acts that amount to the same thing. He can prevent the administration of justice; he can nullify the honest efforts of his brethren, and render of no avail all their disposition to do right; he can save from the gallows or the penitentiary the criminal whose punishment is essential to the well-being of society; in short, he can, by his own stupid *sic volo*, set aside not only all the interests of the community, but he can abrogate all the laws of the land. He not only holds a veto on the entire criminal code, but he has in his hands the power of perverting the course of justice in all its channels. Every contract between man and man, every issue on which depend the rights of individuals, is at his mercy.

An Englishman or an American has very little reason for the boast that he finds safety and protection in the juries of his country. He finds no such thing. Juries, as juries, are utterly powerless in the premises; for eleven of the number are completely controlled by any duodecimal fraction that may choose to make itself of more arithmetical consequence than the whole number.

Of the utter absurdity of this system, as it regards the trial of all causes, it seems to us there can be but one opinion, at precisely the moment when the mind will divest itself of the prejudices which education and tradition have thrown around it. Its manifest injustice in the adjudication of civil suits, may be argued without any great fear of encountering either the demagogue or the quite as formidable folly of the tremblingly scrupulous. The barbarism may be met in that respect without being obliged to combat the *ad captandum* hobbies of the liberty-lovers.

We can speak of a jury decision affecting the right of citizen A to "four acres of arable," unjustly withheld from him by citizen B, without any special peril of the wrath of the electioneerer. We suppose most people who have thought at all, will be willing enough to think with us, that seven out of twelve men are about as likely to be right in giving their opinion on the validity or invalidity of an alleged act as five, and that eleven jurors, who should say on their oaths that C signed a promissory note to D, were quite as much entitled to respect as one juror who believed no such thing.

But it is in criminal proceedings that people cling most tenaciously to their prejudices. They will agree with you in the absurdity of requiring unanimity in the jury in the trial of civil causes, but where the "life or liberty of the citizen is involved," they cannot consent that any less than the whole jury shall assent, or at least two-thirds. Let us look a little into the soundness of this notion. It is our purpose to show its utter absurdity in one case as well as the other—its absurdity, in fact, in all possible cases.

If it be an object of the laws to provide impunity for their own transgression, and if legislators, while they enact punishments for crime, have at heart at the same moment the wish of furnishing facilities for escape from them, we know of no mode more effectual than that of appointing twelve men to go through the farce of sitting in judgment on the criminal, while any one of the number has the power of putting his own opinion in opposition to all the rest, in deciding the case."

Coming down to a more recent period, we find the jury-system still attracting public attention to such an extent as to call forth the following observation from Ex-Governor Cyrus C. Carpenter, of Iowa, which we extract from his valedictory message delivered in January of the present year.

*"The Jury System.*—Entertaining as I do the profoundest veneration for this legacy of our ancestors, I yet do not think it beyond the reach of improvement. The requirement of unanimity in a jury in order to a verdict, I cannot but look upon as an antique absurdity, which has too long fettered the administration of justice. I therefore recommend that steps be taken to do away with the requirement, and thus to conform our jury-system more nearly to modern ideas, and practical common sense."

It would, therefore, seem that this question has deeply impressed itself upon public opinion, and the principle involved, so consonant with the spirit of our free institutions, has more friends and advocates than is generally believed. Whether this be true or false can best be determined by the adoption of this joint resolution amending our State constitution, and the submission of the same to a vote of the people as provided by law.

The Judiciary Committee are of the opinion that it would be unconstitutional to enact a law that a less number than the entire panel of twelve jurors might return a verdict, and they intimate that it is even doubtful if the Federal Constitution would not forbid a State from amending its constitution so as to prevent anything but unanimity in verdicts. The latter proposition cannot be ad-

mitted for a moment, for nothing, in the judgment of your committee, is clearer than that the people of a State have a right to determine the number of persons that shall compose the jury, and the number that may return a verdict. The fifth amendment to the Federal Constitution provides, in absolute terms, that "no person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentation or indictment of a grand jury, \* \* \* nor be deprived of life, liberty, or happiness, without due process of law."

The constitutional provision above referred to was once thought to be binding upon the several States as well as the Union, most of which at an early day incorporated into their respective constitutions a similar provision, but in later times it has been held otherwise, and expressly decided that this provision in the Federal Constitution, is applicable only to cases cognizable in the courts of the United States, (8 Vermont reports, 57, *State vs. Keyes*, also *Com. R. Baker vs. People*, chap. 2, sec. 52.) To the same effect may be cited the opinion of Chief Justice Marshall, who says of the entire fifth amendment of the Federal Constitution, it must be understood as restraining the power of the General Government, not as applicable to the States. (7 Peter's R., 243, *Barron vs. mayor and city council of Baltimore*.) In the same case, referring to the amendments generally, he says: "These amendments contain no expression indicating an intention to apply them to the State government. This court cannot so apply them." Again, he says: "The unwieldy and cumbrous machinery of procuring a recommendation from two-thirds of Congress, and the assent of three-fourths of their sister States, could never have occurred to any human being as a mode of doing that which might be effected by the State itself." In a later case, (5 Howard, 410,) the same question arose before the Supreme Court of the United States, and was treated as a settled question. The Supreme Court of our own State has held that the provision abrogating the grand jury system was an amendment that might be rightfully incorporated into our State constitution, and if in the face of the provision in our Federal Constitution, the grand jury system could be abrogated, it need not be doubted that the people of a State may also provide in their fundamental act what number of jurors may return a verdict. In the language of a distinguished jurist: "The several States are free to adopt such constitutional provisions on the subject as they see fit, and in the absence of such provisions, the several State legislatures are equally free."

The Supreme Court of our own State, 30 Wis., *State vs. Rowan*, use the following language: "It would be a very laborious task, and would really serve no useful purpose to refer to all the authorities where the expressions, "by due process of law;" "by the law of the land;" "on presentment or indictment by a grand jury" have been considered and defined. But the result of the better opinion of courts and commentators in this country, in respect to the meaning of the words, "by due process of law;" "by the law of the land," as used in the Constitution of the United States, and in vari-

ous State Constitutions is, that they are equivalent expressions, and in the language of Judge Bronson, cannot and do not "mean less than a prosecution or suit, instituted and conducted according to the prescribed forms and solemnities for ascertaining guilt or determining the title to property." Taylor vs. Potter, *supra*, 147. Thus, the larger and better definition of those terms, spoken of by Chancellor Kent, is that they mean, "law in its singular course of administration, through courts of justice," and the object of this limitation upon the powers of the States, is to secure to every person within their jurisdiction, irrespective of color or previous condition, the equal protection of the laws," and that every one should be judged, and have his rights determined by the same rules which are applied to settle the rights of the rest of the community.

The only question that remains is the expediency of the measure itself.

Your committee are not unmindful of the fact that an amendment to our organic act, which shall authorize an innovation on a practice which has prevailed for so many years, is not to be treated lightly nor disposed of flippantly. It cannot be doubted, however, that the public mind is largely occupied with this question, and many of our most earnest and profound thinkers have reached the conclusion that unanimous verdicts are not suited to the spirit of the age. This proposed amendment does no more than to so change the phraseology of our State constitution as to authorize the legislature to dispense with the necessity for unanimity in verdicts.

We are not disposed to admit that the spirit of our State constitution now requires such unanimity; but some cases have been decided that seem to indicate that our Supreme Court might hold to that opinion. It is therefore best, in our opinion, that an amendment should precede legislation, so that there need be no necessity for retracing our steps, on the ground that the authority of the constitution has been exceeded. If the amendment proposed by this resolution should prevail at this session of the legislature, the attention of the next legislature would be brought directly to it, and if ratified by it, then the whole question would have to be referred to the people, for their approval or disapproval. If the proposed amendment should be ratified by the legislature, and subsequently by the people, it would do no more than to leave the legislature at liberty to abrogate unanimous verdicts, or not, as in its judgment might seem best. Surely the people, if they desire to avail themselves of the principle contemplated by this amendment, should not be restricted by a constitutional provision that thwarts their will instead of subserves it.

Your committee do not entertain for a moment the belief that, if called upon to act in this matter as an original proposition, any considerable number of people would be found advocating unanimous verdicts. Perhaps they might not be willing to introduce an absolute democracy into the jury box; but we feel sure that few would be willing to deny, that if eleven out of twelve minds should concur on any controverted point, the judgment of the eleven ought to control as against the one. We shall be met with the

remark, that the one, the obstinate juror, may be right. It is true; and it is also true, that twelve men agreeing, are also sometimes wrong, for human testimony is uncertain, and human judgment cannot always be right. To suppose otherwise would be to suppose that man is but little below deity.

Having seen the realms of the old grand jury system so successfully and beneficially invaded in this State, we do not halt at proposing a reform in another branch of the jury system, which is no more sacred and venerable than was the grand jury system.

We attack it because it prescribes rules and perpetuates methods for determining differences between men that are rejected by all men in all other matters that concern their material interests.

We condemn it as giving a single mind, and not always an honest one, equal consideration with that of eleven, that have reached a conclusion through clearer perceptions and greater integrity.

We arraign it before the bar of public opinion, as being contrary to the spirit of a more enlightened age than the one in which it had its origin.

We have no veneration for it, for though it be ancient, it has no gray hairs, and is no more entitled to veneration on account of its antiquity than is an Egyptian mummy.

We put it behind us, as belonging to the ancient past, serving its purpose well enough in its day, perhaps, but it has no place in the machinery devised in a more progressive age for determining differences, where it can only obstruct, instead of assist, in promoting the ends of justice.

We denounce it as fruitful of litigation, as retarding justice, as shielding crime; we doubly denounce it as absurd.

Your committee, therefore, entertaining these views report back bill No. 57, S., with the recommendation that no further action be had thereon; and with the further recommendation that joint resolution No. 17, be agreed to.

Respectfully submitted,

R. J. FLINT,  
J. A. BARNEY,  
JOHN SCHUETTE,  
JAMES RYAN,  
D. E. WELCH,  
*Committee.*

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### THE SPECIAL ORDER.

No. 258, S.,

A bill relating to trespassing on State lands, and for the repeal of chapter 21, of the general laws of 1871, entitled, "an act to consolidate and amend the laws relating to trespassing on State lands."

Being the special order for this hour, was taken up.

Senator Barron offered the following amendment:

Amend by substituting "Commissioners of School and Universi-



ty Lands," for "Governor," in 12th, 13th, and 14th lines, of section 4.

The amendment was adopted.

Senator Barron offered the following amendment:

Add to section 1; *provided, however*, that this act shall apply only to lands which are subject to entry and purchase at the office of the Commissioners of School and University Lands.

The amendment was adopted.

Senator Barden offered the following amendment:

Amend by inserting in 8th line, of section 4, of printed bill, the word, "five," between the words, "the" and "most," so that it will read, "in the five most public places," &c.

The amendment was adopted.

Senator Hudd offered the following amendment:

Amend section 9, by adding to said section; *provided*, nothing in this act contained shall interfere with any pending suit for trespass on State lands, or any seizure and settlements now pending.

The amendment was adopted.

Senator Hudd moved to re-commit the bill to the Committee on Judiciary,

Which motion was lost by the following vote :

Ayes—Senators Barney, Cavanagh, R. E. Davis, Eastman, Hudd, McFarland, Mitchell, Potter, Ryan, and Silverthorn—10.

Nays—Senators Baker, Barden, Barron, Blair, Bryant, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Nevins, Rounds, Schuette, Scott, Tate, and Wilmot—18.

Senator Barron offered the following amendments: Amend as follows: In first line of section 3, after the word "Governor," insert, "and the Commissioners of School and University Lands;" in fifth line of section 4, substitute, "Commissioners of School and University Lands," for the word "Governor;" in tenth line of said section, insert, "Commissioners of School and University Lands," instead of "Governor;" in fourteenth line of said section, between the words, "as" and "may," insert, "they," instead of "he;" in eleventh line, of section 5, insert, "Commissioners of School and University Lands," instead of "Governor;" in twenty-eighth line of said section, insert, "Commissioners of School and University Lands," instead of "Governor;" in twenty-ninth line of said section, strike out the words, "adopt such rules and;" in twenty-eighth line of said section and substitute, "they are," for "he is;" in eleventh line of section 7, insert, "Commissioners of School and University Lands," instead of "Governor."

The amendments were adopted.

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#### LEAVE OF ABSENCE.

Indefinite leave of absence was granted to Senator Flint.

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On motion of Senator Hudd,  
The Senate adjourned until 2, p. m.

2 O'CLOCK, P. M.

The Senate met pursuant to adjournment.  
The Lieutenant-Governor presiding.

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## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk, thereof:

Mr. PRESIDENT:—I am directed to inform you that the Assembly has concurred in,

No. 105, S.,

A bill appropriating to the Dodge County Agricultural Society a sum of money therein named.

No. 114, S.,

A bill to appropriate money to the Outagamie County Agricultural Society.

No. 153, S.,

A bill to amend sections 11 and 13, of chapter 243, of the laws of 1874, entitled, an act in relation to public printing.

No. 183, S.,

A bill to authorize the Commissioners of School and University Lands to loan a portion of the trust funds of the State to the county of Racine.

No. 11, S.,

A bill to appropriate to the Wisconsin State Agricultural Society a sum of money therein named.

And has amended and concurred in as amended,

No. 131, S.,

A bill to appropriate to the Iowa County Agricultural Society a sum of money therein named.

And has amended the title to read as follows:

A bill to appropriate to the Iowa and Door County Agricultural Societies a sum of money therein named.

No. 110, S.,

A bill relating to the change of venue in civil cases.

No. 126, S.,

A bill to amend section 1, of chapter 84, of the general laws of 1874, entitled, "an act to amend chapter 166, of the general laws of 1869, entitled, 'an act to repeal chapter 132, of the general laws of 1866, entitled, 'an act to vest the title of unredeemed lands in counties.'"

No. 95, S.,

A bill relating to the Waushara County Agricultural Society, and to appropriate a sum of money therein named.

No. 133, S.,

A bill to amend section 3, of chapter 79, of the revised statutes of 1858, entitled, of railroads.

No. 140, S.,

A bill to authorize Dudley J. Spaulding to maintain dams across the North and South Forks of Popple River and Brett Creek, in Clark county.

No. 40, S.,

A bill to authorize and require the county clerk of the county of Burnett, to make and keep up an abstract of tax-sales.

No. 67, S.,

A bill for the relief of John Reynolds, deceased.

No. 75, S.,

A bill relating to attorneys' fees in justices' courts.

No. 96, S.,

A bill to provide for proving claims in justice court.

Jt. Res. No. 19, S.

Requesting the Governor to invite the Governors of other States, to unite in celebrating the completion of the Fox and Wisconsin River canal.

And has indefinitely postponed,

No. 8, S.,

A bill relating to the assessment of property for taxation, to repeal chapter 120, of the general laws of 1871, and to revive, restore, and re-enact section 4, of chapter 27, of the general laws of 1871

And has refused to concur in,

No. 165, S.,

A bill in relation to the assessment and collection of taxes.

And concurred in the Senate amendments to,

No. 240, A.,

A bill to authorize the improvement of the streets in the second ward of the city of Milwaukee, and to authorize the levy of a special tax thereon, in said ward.

No. 68, A.,

A bill authorizing counties, towns, cities, and villages, to establish sinking funds, for the payment of their bonded indebtedness.

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#### ASSEMBLY MESSAGE CONSIDERED.

The amendments to 131, S.,

Were concurred in by the following vote:

Ayes—Senators Barden, Barney, Barron, Blair, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Hathaway, Hudd, Jacobs, McFarland, Mitchell, Potter, Reed, Schuette, Scott, Silverthorn, Tate, Welch, and Wilmot—22.

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#### THE SPECIAL ORDER,

The consideration of,

No. 258, S.,

Was resumed.

The bill was ordered engrossed for a third reading by the following vote:

Ayes—Senators Baker, Barden, Barron, Blair, H. N. Davis, Douglas, Downs, Hathaway, Potter, Rounds, Schuette, Scott, Tate, and Welch—14.

Nays—Senators Barney, R. E. Davis, Eastman, Hudd, Jacobs, McFarland, Mitchell, Reed, Ryan, Silverthorn and Wilmot—11.

No. 102, S.,

A bill relating to telegraph companies, and amendatory of chapter 141, of the general laws of 1868, entitled, "an act to provide for the taxation of telegraph companies, and to repeal chapter 160, of the general laws of 1867, entitled, 'an act to provide for the taxation of telegraph companies.'"

Was the next bill in the special order.

Senator Barden offered the following amendment:

Strike out "two," in the tenth line of section 1, of printed bill, and insert "one."

The amendment was lost by the following vote:

Ayes—Senators Barden, Potter, Schuette, and Scott—4.

Nays—Senators Baker, Barney, Barron, Blair, Bryant, H. N. Davis, Eastman, Farr, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Ryan, Silverthorn, and Wilmot—18.

The bill was indefinitely postponed by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, H. N. Davis, Downs, Eastman, Farr, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, and Wilmot—24.

Nays—Senators Douglas and Potter—2.

No. 284, S.

A bill in relation to express companies in the State of Wisconsin.

Was the next bill in the special order.

The bill was indefinitely postponed by the following vote:

Ayes—Senators Baker, Barney, Barron, Blair, Bryant, H. N. Davis, Downs, Eastman, Farr, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, and Wilmot—23.

Nays—Senators Barden, Douglas, and Potter—3.

No. 248, S.,

A bill requiring the Wisconsin Central Railroad Company to relay its track and maintain and operate its road from Menasha to Appleton.

Was the next bill in the special order.

Senator Schuette moved to postpone further consideration of the bill until to-morrow,

Which motion was lost.

Senator Schuette offered the following amendment:

Amend by inserting a new section, to be section 3, and to read as follows: Section 3. In case the Wisconsin Central Railroad Company shall fail to comply with the provisions of this act, then it shall be lawful for the Milwaukee, Lake Shore & Western Rail-

road Company, or any other company, to enter upon and operate that part of said road as described in the first section of this act.

The amendment was lost by the following vote:

Ayes—Senators Potter, Schuette, Silverthorn, and Tate—4.

Nays—Senators Barney, Barron, Blair, Bryant, H. N. Davis, Douglas, Downs, Farr, Hathaway, Hiner, Hudd, Jacobs, McFarland, Nevins, Reed, Ryan, and Scott—17.

On motion of Senator Jacobs,

The bill was referred to a select committee consisting of Senators Schuette, Rounds, and Ryan.

No. 51, S.,

A bill to repeal chapter 104, of the general laws of 1870, entitled, an act to aid the West Wisconsin Railway Company.

Was the next bill in the special order.

On motion of Senator Barron,

The bill was made the special order for 11 o'clock, a. m., Wednesday, March 1.

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On motion of Senator Barron,  
The Senate adjourned.

WEDNESDAY, MARCH 1, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

The roll was called and the following Senators answered to their names:

Senators Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Hathaway, Hiner, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Tate, Welch and Wilmot.

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Senator Shuette moved that the Assembly be requested to return to the Senate for further action, bill No. 15, S.

Senator Rounds moved to lay the motion on the table,

Which motion prevailed by the following vote:

Ayes—Senators Barney, Barron, Blair, Bryant, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Hiner, Jacobs, Mitchell, Reed, Rounds, Ryan, Scott, Silverthorn, and Wilmot—18.

Nays—Senators Barden, Campbell, Hathaway, Schuette, Tate, and Welch—6.

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The Committee on Claims herewith return to the Senate, as directed,

Mem. No. 5, S..

Of Morgan L. Martin for the payment of interest awarded by commissioners of this State, which sum of interest is unpaid.

FRANCIS CAMPBELL,

*Chairman.*

The memorial was, on motion, referred to Senator Hudd.

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#### RESOLUTIONS INTRODUCED.

By Senator Welch:

Jt. Res. 22, S.,

Requesting the Governor to return to the Senate, bill No. 49, S.

*Resolved by Senate, the Assembly concurring,* That the Governor be requested to return to the Senate No. 49, S., without his signature, for further consideration.

The rules were suspended and the resolution was adopted.

By Senator Bryant:

Jt. Res. No. 48, S.,

Requesting the Secretary of State, to furnish statement showing the number of civil actions in each circuit, &c.

*Resolved,* That the Secretary of State is requested to transmit to the Senate, a statement, showing the number of civil actions commenced in the several judicial circuit courts, and in the several counties thereof, during the fiscal year, ending September 30, 1874, and the fiscal year, ending September 30, 1875, as appears from official reports made to said Secretary of State.

On motion of Senator Bryant, the rules were suspended and the resolution was adopted.

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### BILLS INTRODUCED.

Read first and second times and referred

By Committee on Charitable and Penal Institutions:

A bill to appropriate a sum of money therein named to the directors of the State Prison for the purpose of providing hospital accommodation for the criminal insane within the prison.

To Committee on Claims.

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### REPORTS OF COMMITTEES.

The Committee on Engrossed Bills have examined and find correctly engrossed the following bills:

M. C. No. 14, S.,

To Congress for amendments to the patent laws.

No. 193, S.,

A bill to enable certain towns, cities, and villages to construct and improve harbors.

No. 237, S.,

A bill to authorize the directors of the Wisconsin State Prison to lease the labor of the convicts therein confined.

No. 245, S.,

A bill for the preservation of fish in Lake Marion, Dane county.

No. 270, S.,

A bill to appropriate a sum of money therein named to pay for additional copies of the Legislative Manual for 1876.

No. 167, S.,

A bill to legalize the acts and proceedings of a town meeting in the town of Medford, in the county of Taylor, held on the 15th

day of October, A. D., 1875, for the purpose of voting on the location of the county buildings, the price to be paid for the same, and the manner of paying for the same.

No. 226, S.,

A bill to attach Lincoln county to the 8th congressional district.

No. 266, S.,

A bill to detach certain territory from the city of Fort Howard and attach the same to the town of Ashwabanon, Brown county.

No. 291, S.,

A bill to amend chapter 203, of the laws of Wisconsin of 1875, entitled, "an act to provide for the revision of the statutes."

No. 104, S.,

A bill to repeal chapter 97, of the laws of 1870, entitled, "an act to exempt from execution a printing press and presses, and printer's material to the amount of fifteen hundred dollars."

No. 252, S.,

A bill relating to the issue of State warrants.

No. 277, S.

A bill to authorize the State Board of Charities and Reform to transfer insane persons from one hospital to another, in certain cases.

No. 258, S.,

A bill relating to trespassing on State lands, and for the repeal of chapter 21, of the general laws of 1871, entitled, "an act to consolidate and amend the laws relating to trespassing on State lands."

D. E. WELCH,

*Chairman.*

Said bill No. 258, S., was,

On motion of Senator Barron,

Recommitted to the Committee on Public Lands.

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The Committee on Railroads has had under consideration,

No. 125, S.,

A bill relating to railroads, and to repeal section 2, of chapter 113, of the general laws of 1875, entitled, "an act to amend chapter 273, of the general laws of 1874, entitled, 'an act relating to railroads, telegraph, and express companies in the State of Wisconsin.'"

No. 234, S.,

A bill for the relief and protection of stockholders in railroad corporations.

And report the same back with recommendation that they be indefinitely postponed.

No. 117, A.,

A bill to amend section 2, of chapter 248, laws of 1875, entitled, "an act relating to the fencing of railroads."

No. 157, A.,

A bill to authorize street railway companies to issue bonds, and to secure the same by mortgage or trust deed.



And report the same back with recommendation that they be concurred in.

W. H. HINER,  
*Chairman.*

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The Committee on Incorporations, to which was referred,  
No. 127, S.,

A bill to amend chapter 171, of the private and local laws of 1868, entitled, an act to amend chapter 30, of private and local laws of 1853, entitled, an act to incorporate the Wisconsin River Improvement Company, and to amend chapter 171, of the private and local laws of 1866, amendatory thereof.

With amendments, and recommend passage when so amended.

No. 392, A.,

A bill relating to justices of the peace in the city of Sheboygan, and to amend section 1, of chapter 236, of the laws of 1874, entitled, an act to amend chapter 254, of the private and local laws of 1868, entitled, an act to revise, consolidate, and amend the act to incorporate the city of Sheboygan, and the several acts amendatory thereof, and to repeal chapter 94, of the private and local laws of 1856, entitled, an act to establish a code of procedure for the police court of the city of Sheboygan, approved March 15, 1856, and the several acts amendatory thereof.

Have had the same under consideration, and instructed me to report same back, and concurrence recommended.

THOMAS B. SCOTT,  
*Chairman.*

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The Committee on the Judiciary, to which were referred,

No. 204, A.,

A bill to legalize and confirm a certain mortgage therein named,

Has had the same under consideration, and instructed me to report it back with the recommendation that it be concurred in, Senator Potter dissenting.

No. 176, S.,

A bill to provide for the incorporation of associations or companies for lumbering or logging purposes.

Has had the same under consideration and instructed me to report it back, with amendments, and the recommendation that it pass when so amended.

H. D. BARRON.  
*Chairman.*

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The Committee on the Judiciary, to which was referred,

No. 79, A.,

A bill to amend chapter 500, of the local laws of 1868, entitled, an act to consolidate and amend an act to incorporate the city of

Madison, and the several acts amendatory thereof, approved March 6, 1868.

Have had the same under consideration and instructed me to report it back with the recommendation that it pass.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,  
No. 259, S.,

A bill to provide for the payment of costs arising from actions brought in the name of the State, by a special treasury agent.

With accompanying documents.

Has had the same under consideration, and instructed me to report it back, and to recommend the passage of said bill.

H. D. BARRON,  
*Chairman.*

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#### REPORTS OF SELECT COMMITTEES.

The select committee, to whom was referred,  
No. 203, S.,

A bill to amend section 3, of chapter 299, of the private and local laws of 1870, entitled, "an act to define certain rights and duties of the Beef Slough Manufacturing, Booming, Log-Driving, and Transportation Company."

Has had the same under consideration, and report it back to the Senate with amendment, and recommend that when so amended it pass, and said committee further recommend that said amendment be printed.

J. A. BARNEY,  
*Committee.*

So ordered.

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The special committee, to whom was referred,  
No. 288, S.,

A bill to lay out a highway from the city of Menasha, to Woodville, Calumet county,

Report the same back by substitute, and recommend the passage of the same when so amended.

W. P. ROUNDS,  
*Committee.*

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#### MESSAGE FROM THE GOVERNOR.

STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,  
MADISON, March 1, 1876.

*To the honorable, the Legislature:*

I herewith transmit, for your information, a copy of a joint

resolution adopted by the legislature of Minnesota, approved January 25, 1876, and a copy of the letter of transmissal from the Secretary of State, dated at St. Paul, Minnesota, February 25, 1876.

H. LUDINGTON,  
*Governor.*

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*ST. PAUL, MINN., February 25, 1876.*

TO HIS EXCELLENCY, H. LUDINGTON,  
*Governor of the State of Wisconsin:*

I have the honor herewith to transmit to you a copy of a joint resolution passed by the Minnesota legislature, approved January 25, 1876.

The duty of forwarding a copy of the resolution is one that properly belongs to this office, and it would have been promptly attended to had not the resolution in express terms requested the Governor so to do.

This has created some confusion or misunderstanding about it, and will explain the delay that has occurred.

Your obedient servant.

J. S. IRGENS,  
*Secretary of State.*

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### JOINT RESOLUTION,

*Appointing a committee to confer relative to the harbor at western end of Lake Superior.*

WHEREAS, The harbor formed by the St. Louis River, at the western end of Lake Superior, is within the limits of both the States of Wisconsin and Minnesota, and both States are directly and equally interested in its proper improvement by the General Government, to the end that it may be speedily fitted for use by the great commerce seeking that natural gateway to the northwest; and,

WHEREAS, Unhappy differences have arisen between the State of Wisconsin and a municipality of this commonwealth, as to the mode of such improvement, which tend to delay and defeat the realization of the result desired by both these communities, and to produce ill feeling and misunderstandings between the sister States; and,

WHEREAS, It will be in every way to the best interests of the States of Wisconsin and Minnesota to have an amicable arrangement of the pending differences, and united efforts for the protection and improvement of our common harbor take the place of divided opinions and hostile movements; therefore,

*Resolved by the legislature of the State of Minnesota, That a committee of five, two from the senate and three from the house, be appointed to meet a similar committee, should one be appointed by the legislature of Wisconsin, and consider the questions at issue*

between the two States, making report to the legislature of their conclusions and recommendations in reference thereto.

*Resolved*, That the Governor is requested to transmit a copy of this resolution to the Governor of Wisconsin, with a request that it be laid before the legislature of that State.

Approved January 25, 1876.

STATE OF MINNESOTA,  
OFFICE OF SECRETARY OF STATE.

I certify the foregoing to be a true and correct copy of the original on file in this office.

Witness my hand, and the great seal of the State, this 25th day of February, A. D., 1876.

[SEAL.]

J. S. IRGENS,  
*Secretary of State.*

Referred to the Committee on Federal Relations, and ordered spread upon the journal.

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MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 391, A.,

A bill to amend chapter 254, of the private and local laws of the year 1868, entitled, an act to revise, consolidate, and amend the act to incorporate the city of Sheboygan, and the several acts amendatory thereof, and to repeal chapter 94, of the private and local laws of 1856, entitled, "an act to establish a code of procedure for the police court of the city of Sheboygan, approved March 4, 1856."

No. 334, A.,

A bill to amend chapter 198, of the general laws of 1873, entitled, an act to provide for the collection of the taxes therein named, in certain cases.

No. 268, A.,

A bill authorizing the improvement of certain portions of the Embarrass River.

No. 305, A.,

A bill for the protection of life and property in the State of Wisconsin.

No. 150, A.,

A bill to declare Coon River, in the county of Vernon, a navigable stream.

No. 203, A.,

A bill to provide for the manner of electing assessors in the city of Neenah.

No. 404, A.,

A bill to amend section 4, chapter 154, of the general laws of

1874, entitled, an act to authorize David E. Tewksbury to maintain a dam or dams on the north fork of Clam River, in Barron county.

No. 349, A.,

A bill to amend chapter 93, of the laws of 1873, entitled, an act to amend chapter 449, of the private and local laws of 1860, entitled, an act to incorporate the city of Oconto.

No. 215, A.,

A bill to amend section 3, of chapter 68, of private and local laws of 1868, entitled, an act to incorporate the Germania, of Milwaukee.

No. 309, A.,

A bill to authorize the Commissioners of School and University Lands to loan a portion of the trust funds of the State to the county of Clark.

No. 286, A.,

A bill to authorize George H. Breckner, his associates and his or their heirs and assigns to build and maintain a dam across the Sheboygan River, in the State of Wisconsin.

No. 407, A.,

A bill to authorize John Arbuckle to maintain a dam across Barham stream, in Burnett county.

No. 201, A.,

A bill prohibiting the paying of damages to persons in Polk county, who petition for laying out, discontinuing, or vacating highways.

No. 218, A.,

A bill to legalize the acts of United States Court Commissioners for the eastern district of Wisconsin in certain cases.

No. 266, A.,

A bill to amend section 16, chapter 3, of chapter 474, of the private and local laws of 1868, relating to the appointment of a justice of the peace as police justice in certain cases.

No. 306, A.,

A bill to amend section 6, of chapter 87, of the laws of 1873, entitled, "an act granting to Albert Taylor, to establish and maintain a ferry across the Mississippi River from some point above the limits of the village of Alma, in Buffalo county, and the mouth of the Chippewa River, in Buffalo county, to the opposite shore in the State of Minnesota."

No. 107, A.,

A bill to amend chapter 500, private and local laws, 1868, entitled, an act to consolidate and amend an act to incorporate the city of Madison, and the several acts amendatory thereof.

No. 187, A.,

A bill conferring certain powers upon the town board of supervisors of the town of Bayfield, Bayfield county.

No. 389, A.,

A bill to amend section 1, of chapter 362, of the private and local laws of 1869, entitled, "an act to incorporate the Mishicott Schuetzen Gesellschaft."

No. 406, A.,

A bill to amend section 4, of chapter 153, of general laws of 1874, entitled, an act to authorize W. A. Talboy and H. H. Hanscom to maintain a dam on north fork of Clam River, in Barron county.

No. 322, A.,

A bill to amend chapter 263, of the laws of 1873, entitled, "an act to prescribe the measure of damages in certain actions, for the wrongful cutting of timber."

No. 237, A.,

A bill to amend chapter 85, of general laws of 1866, entitled, an act relating to the vacation of town, city, or village plats, or any part thereof.

No. 399, A.,

A bill to amend the charter of the city of Fort Howard.

No. 414, A.,

A bill to appropriate to Patrick Griffin a sum of money therein named.

No. 413 A.,

A bill to appropriate to Taylor S. Hayhurst a sum of money therein named.

No. 348, A.,

A bill to amend chapter 449, private and local laws of 1869, entitled, "an act to incorporate the city of Oconto."

No. 415, A.,

A bill to appropriate to Ansley Gray a sum of money therein named.

No. 238, A.,

A bill to amend sections 138 and 139, of chapter 152, general laws of 1869, entitled, an act to codify the laws of this State relating to highways and bridges.

No. 155, A.,

A bill to amend chapter 226, of the laws of 1874, entitled, "an act to legalize certain acts and proceedings relating to certain street improvements in the city of Janesville."

No. 195, A.,

A bill to amend section 1, chapter 326, laws of 1875, entitled, an act to authorize Roberts & Wheelan to maintain dams upon Black River.

No. 253, A.,

A bill to authorize the city of Watertown, by its board of street commissioners, to purchase a steam fire engine and necessary equipments, at an expense of not more than eight thousand dollars.

No. 261, A.,

A bill to lay out, open, and establish a State road from, at or near Jenny, Lincoln county, to Westboro, Taylor county, and to intersect the new Yellow River road in Chippewa county, at a point on the northwest quarter of the northwest quarter of section 5, town 32, range 5 west.

No. 213, A.

A bill to amend section 8, of chapter 15, of the revised statutes, entitled, of towns and town officers, powers and duties of towns.

No. 244, A.,

A bill to amend section 3, chapter 78, general laws 1867, entitled, an act for the preservation of game.

No. 210, A.,

A bill to amend chapter 63, of the local laws of 1855, entitled, "an act to change the name of Milwaukee Female College."

No. 212, A.,

A bill to amend section 76, of the private and local laws of 1871, entitled, "an act to amend chapter 93, of the private and local laws of 1867, entitled, 'an act to authorize the counties and towns through which the Green Bay and Lake Pepin Railroad passes, to aid in its construction.'"

No. 345, A.,

A bill for an act to authorize the city of Janesville, to build a school-house in the fourth and fifth wards, and to issue bonds of said city therefor.

And has concurred with the Senate in the adoption of,

No. 137, S.,

A bill to fix the time of holding the several terms of the circuit court in the fourth judicial circuit.

And has indefinitely postponed,

Jt. Res. No. 13, S.,

Joint resolution, ratifying proposed constitutional amendments, requiring the legislature to establish but one system of town and county government.

And has concurred with the Senate in its amendments to the Joint Rules Nos. 18, 19, 20, and 21.

And has concurred in,

Jt. Res. No. 22, S.,

Requesting the Governor to return bill No. 49, S., without his signature.

And has also concurred in the Senate amendment to No. 41, A.

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#### ASSEMBLY MESSAGE CONSIDERED.

Nos. 187, 201, 208, 266, 305, 322, and 391, A.,

Were referred to the Committee on Judiciary.

Nos. 244 and 334, A.,

Were referred to the Committee on State Affairs.

Nos. 150 and 268, A.,

Were referred to the Committee on Internal Improvements.

Nos. 155, 195, 253, 237, 348, 349, 389, 399, 403, 407, and 404, A.,

Were referred to the Committee on Incorporations.

Nos. 203, 210, 215, 286, 413, 414, and 415, A.,

Were placed in the general file.

Nos. 309 and 345, A.,

Were referred to the Committee on Education.

Nos. 213 and 261, A.,

Were referred to Committee on Roads, Bridges, and Ferries.

No. 306, A.,

Was referred to the Committee on Military Affairs.

No. 213, A.,

Was referred to the Committee on Town and County Organization.

No. 212, A.,

Was referred to the Committee on Railroads.

No. 107, A.,

Was referred to a select committee consisting of Senator Bryant.

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### RESOLUTIONS CONSIDERED.

Res. No. 47, S.,

In relation to the invitation of the mayor of Atlanta, Georgia, to the Senate for an inter-State visit.

Introduced on yesterday by the Committee on Federal Relations.

The resolution was adopted.

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### THE SPECIAL ORDER.

No. 51, S.,

A bill to repeal chapter 104, general laws of 1870, entitled, "an act to aid the West Wisconsin Railway Company."

Being the special order for this hour, was taken up.

The bill was indefinitely postponed by the following vote:

Ayes—Senators Baker, Barney, Barron, Blair, Bryant, Campbell, H. N. Davis, Downs, Farr, Hathaway, Hiner, McFarland, Mitchell, Nevins, Rounds, Ryan, Schuette, Silverthorn, and Tate—19.

Nays—Senators Barden, Cavanagh, R. E. Davis, Douglas, Eastman, Jacobs, Potter, Reed, and Wilmot—9.

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### ASSEMBLY BILLS READY FOR A THIRD READING

No. 55, A.,

A bill to authorize the second ward of the city of Green Bay and the second ward of the city of Fort Howard to rebuild, repair, and maintain the middle bridge across Fox River, between Green Bay and Fort Howard.

No. 69, A.,

A bill to amend chapter 142, of laws of 1875, entitled, "an act to amend section 3, of chapter 82, of general laws of 1870, entitled, an act relating to the preservation of the colors and flags of our late regiments."



No. 202, A.,

A bill relating to the invention and encouragement of steam or other mechanical agents on highways, and amendatory of chapter 134, laws of 1875.

No. 269, A.,

A bill authorizing the formation of insurance companies, against loss or damage by hail to all kinds of grain, fruits, hops, and legumen.

Were severally read a third time and concurred in.

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### SENATE BILLS READY FOR A THIRD READING.

No. 104, S.,

A bill to repeal chapter 97, of the laws of 1870, entitled, an act to exempt from execution, a printing press and presses, and printers' material to the amount of fifteen hundred dollars.

No. 193, S.,

A bill to enable certain towns, cities, and villages to construct and improve harbors.

No. 237, S.,

A bill to authorize the directors of Wisconsin State Prison to lease the labor of the convicts therein confined.

No. 245, S.,

A bill for the preservation of fish, in Lake Marion, Dane county.

No. 252, S.,

A bill relating to the issue of State warrants.

No. 266, S.,

A bill to detach certain territory from the city of Fort Howard, and attach the same to the town of Ashwabanon, Brown county.

No. 277, S.,

A bill to authorize the State Board of Charities and Reform to transfer insane persons from one hospital to another, in certain cases.

No. 291, S.,

A bill to amend chapter 203, of the laws of Wisconsin of 1875, entitled, "an act to provide for the revision of the statutes."

M. C. No. 14, S.,

Memorial to Congress for amendments to the patent laws.

Were severally read a third time and passed.

No. 270, S.,

A bill to appropriate a sum of money therein named to pay for additional copies of the Legislative Manual for 1876.

Was read a third time and passed by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Hathaway, Hiner, Jacobs, Mitchell, Nevins, Reed, Rounds, Ryan, Schuette, Silverthorn, Tate, Welch, and Wilmot—27.

No. 124, S.,

A bill to amend sections 4 and 5, of chapter 164, of the private and local laws of 1870, entitled, "an act to amend chapter 452, of the private and local laws of 1859, entitled, 'an act to incorporate the Nimakogan and Totogatic Dam Company,'"

Senator Barron, by unanimous consent, offered the following amendments:

Amend lines 10 and 11, of section 1, by striking all between the words "in," and the word "and," and inserting the words town forty-two, or forty-three, range twelve.

Amend the 23d line of said section, by inserting between the words "rivers" and "open," the words, and the dams on the Nimakogan in town forty-three, range six.

Amend the 27th line of said section, by inserting between the words "Eau Claire," and "during," the words and the Nimakogan.

The amendments were adopted, and the bill was read a third time and passed.

No. 73, S.,

A bill to authorize John A. Jacobs to erect and maintain a dam in Burnett county.

Senator Barron, by unanimous consent, offered the following amendments:

Amend first line of section 1, by inserting P. Jacobson, in place of A. Jacobs.

Amend second line of said section, by inserting after the word "owned," the words, "or leased."

Amend seventh line of said section, by inserting after the word "rafts" the words, "and logs."

The amendments were adopted, and the bill was read a third time and passed. Title amended so as to read as follows:

A bill to authorize John P. Jacobson to erect and maintain a dam, in Burnett county.

No. 167, S.,

A bill to legalize the acts and proceedings of a town meeting in the town of Medford, in the county of Taylor, held on the 15th day of October, A. D., 1875, for the purpose of voting on the location of county buildings, the price to be paid for the same, and the manner of paying for the same.

Was read a third time and passed.

And the title amended so as to read as follows:

A bill to establish the site for county buildings in the county of Taylor.

No. 226, S.,

A bill to attach Lincoln county to the 8th congressional district.

Was read a third time and passed, and the title amended so as to read as follows:

A bill to attach Lincoln county to the 8th congressional district, and to organize the towns of Corning and Pine River therein.

## SENATE BILLS READY FOR ENGROSSMENT.

No. 255, S.,

A bill to amend chapter 113, of the private and local laws of 1867, and chapter 402, of the private and local laws of 1869, relating to the village of Shullsburg.

No. 259, S.,

A bill to provide for the payment of costs arising from actions brought in the name of the State by a special treasury agent.

M. C. No. 15, S.,

For an increase of mail service along mail-route No. 25,151, from Lake Five to Hartford, in Washington county, Wisconsin.

Were severally ordered engrossed for a third reading.

No. 112, S.,

A bill to authorize the county of Burnett to build and maintain a free bridge across the St. Croix River, in town thirty-eight, (38,) north of range twenty, (20,) west.

The following amendments were offered by Senator Barron to said bill, No. 112, S.:

Amend 3d line of section 1, by filling the blanks with the words, "five thousand."

Amend 5th line of section 1, by inserting "or," between the word "logs," and the word "timber," and strike from said line and the line following, the words "or steamboats."

Amend the 5th line of section 5, by inserting in the blank, the words "five thousand."

The amendments were adopted, and the bill was ordered engrossed for a third reading.

The amendments reported to,

No. 127, S.,

A bill to amend chapter 171, of the private and local laws of 1868, entitled, "an act to amend chapter 30, of the private and local laws of 1853, entitled, 'an act to incorporate the Wisconsin River Improvement Company, and to amend chapter 171, of the private and local laws of 1866, amendatory thereof.'"

Were adopted, and the bills were ordered engrossed for a third reading.

No. 219, S.,

A bill to prohibit county, city, village, or town treasurers from holding their office more than two terms in succession.

Was indefinitely postponed.

No. 235, S.,

A bill relating to the publication of the Legislative Manual, and amendatory of chapter 72, of the laws of 1873.

Was, on motion of Senator Bryant, referred to a select committee, consisting of Senators Bryant and Hiner.

No. 176, S.,

A bill to provide for the incorporation of associations or companies for lumbering or logging purposes.

Was referred to the Committee on State Affairs, and, on motion of Senator Farr, the bill was ordered printed.

No. 221, S.,

A bill to incorporate the city of River Falls.

On motion of Senator Barron,

The rules were suspended, and the bill was read a third time and passed.

No. 288, S.,

A bill to lay out a highway from the city of Menasha to Woodville, in Calumet county.

The amendments reported by the select committee to said bill were adopted, and the rules were suspended and the bill was read a third time and passed, and the title amended so as to read as follows: A bill to amend chapter 47, laws of 1876, entitled, "an act to codify, consolidate and amend the act to incorporate the city of Appleton, and the several acts amendatory thereof."

No. 45, S.,

A bill to repeal chapter 8, of the general laws of 1867, entitled, "an act relating to reporters of daily newspapers."

The amendments reported by the Committee on Legislative Expenditures to said bill were adopted, and the rules were suspended and the bill was read a third time and passed, and the title amended so as to read as follows: "A bill repealing chapter 159, of the laws of 1874, and chapter 268, of the laws of 1873, relating to taxes for special road purposes in Vernon county."

No. 125, S.,

A bill relating to railroads, and to repeal section 2, of chapter 113, of the general laws of 1875, entitled, an act to amend chapter 273, general laws of 1874, entitled, an act relating to railroads, express, and telegraph companies in the State of Wisconsin.

Was referred to a select committee consisting of Senator Campbell.

No. 234, S.,

A bill for the relief and protection of stockholders in railroad corporations.

Was referred to a select committee consisting of Senator Rounds.

No. 214, S.,

A bill to abolish time sentences to the State Prison.

Was, on motion of Senator Bryant, recommitted to the Committee on Judiciary.

No. 232, S.,

A bill for the protection of fish in the inland waters of the State.

No. 246, S.,

A bill to consolidate and amend the game laws of Wisconsin.

Were made the special order for 11 o'clock a. m., Thursday morning, the 2d inst., and to remain such until disposed of.

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#### ASSEMBLY BILLS ON THEIR THIRD READING.

No. 52, A.,

A bill to constitute the clerk of the circuit court of Waukesha county, in Wisconsin, clerk of the county court of said county.

No. 97, A.,

A bill relating to justices of the peace and constables in the city of Milwaukee, and to repeal chapter 332, of the laws of 1875.

No. 117, A.,

A bill to amend section 2, of chapter 248, laws of 1875, entitled, an act relating to fencing railroads.

No. 139, A.,

A bill authorizing the correction of conveyances of real estate in certain cases.

No. 142, A.,

A bill to amend section 2, of chapter 78, of the general laws of 1873, entitled, "an act to amend sections 17 and 18 of chapter 130, of the general laws of 1868, entitled, 'an act to provide for the assessment of property for taxation, and the levy of taxes thereon.'"

No. 157, A.,

A bill to authorize street railway companies to issue bonds, and to secure the same by mortgage or trust deed.

No. 171, A.,

A bill authorizing the taking of depositions in certain cases.

No. 172, A.,

A bill to legalize the official acts of Cyrus Lanyon, notary public.

No. 204, A.,

A bill to legalize and confirm a certain mortgage therein named.

No. 392, A.,

A bill relating to justices of the peace, in the city of Sheboygan, and to amend section 1, of chapter 236, of the laws of 1874, entitled, "an act to amend chapter 254, of the private and local laws of 1868, entitled, 'an act to revise, consolidate, and amend the act to incorporate the city of Sheboygan, and the several acts amendatory thereof, and to repeal chapter 94, of the private and local laws of 1865, entitled, 'an act to establish a code of procedure for the police courts, of the city of Sheboygan, approved March 4, 1856, and the several acts amendatory thereof.'"

No. 79, A.,

A bill to amend chapter 500, of the local laws of 1868, entitled, "an act to consolidate and amend 'an act, to incorporate the city of Madison,' and the several acts amendatory thereof, approved March 6, 1868.

Were severally ordered to a third reading.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has concurred in,

No. 23, S.,

A bill to amend chapter 289, of the general laws of 1873, entitled, "an act to amend chapter 182, of the general laws of 1872,

entitled, 'an act to authorize municipal corporations to aid in the construction of railroads.'"

No. 50, S.,

A bill to amend chapter 208, laws of 1875, entitled, an act in relation to the Wisconsin Railroad Farm-Mortgage Land Company.

No. 63, S.,

A bill to provide for the corporation of fire departments in unincorporated villages.

No. 64, S.,

A bill to appropriate a sum of money therein named to the Institution for the Education of the Blind, for the purpose of paying indebtedness incurred in furnishing the wing of said building with furniture and fixtures.

No. 89, S.,

A bill to provide for acquiring title to certain pieces of land within the grounds of the Wisconsin State Hospital for the Insane.

No. 128, S.,

A bill to authorize the Lake Avenue Company to convey its franchises and property.

No. 129, S.,

A bill to provide compensation for indexing and completing the transcribing of the journals of the Senate and Assembly.

No. 172, S.,

A bill to amend chapter 343, of the laws of 1875, entitled, an act to amend chapter 127, of the laws of 1874, entitled, "an act to incorporate the city of Menasha."

And has amended, and concurred in as amended,

No. 106, S.

A bill to provide for deficiencies in the University fund income.

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On motion of Senator Reed,  
The Senate adjourned.

THURSDAY, MARCH 2, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

Prayer by the Rev. C. H. Richards.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hiner, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot.

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#### LEAVES OF ABSENCE.

Indefinite leave of absence was granted to Senator Ryan.

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#### MEMORIALS PRESENTED AND REFERRED.

By Senator Barron:

Mem. No. 191, S.,

Of J. E. Anderson and 84 other citizens, of Burnett county, against the passage of a bill authorizing the building of a bridge across the St. Croix River.

To General File to accompany bill.

By Senator Welch:

Mem. No. 192, S.,

Of Col. J. M. Arnold and 16 other citizens, of Milwaukee, asking for the passage of bill No. 68, S.

To General File.

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#### RESOLUTIONS INTRODUCED.

By Senator H. N. Davis:

Jt. Res. No. 23, S.,

Relating to the location of the State Prison, and a hospital for the incurable insane.

*Resolved by the Senate, the Assembly concurring, That,*

WHEREAS, The State Board of Charities and Reform, in their annual report to the Governor, dated December, 1874, say: "We very much doubt whether the State Prison can be made to support itself under any system of management, while located at Waupun, that its present location is too far removed from supplies, and from available market for manufactured articles, and submit to the next legislature in its wisdom, to determine whether it is good policy for the State longer to continue the State Prison at Waupun, at such an enormous expense to the State;" and,

WHEREAS, The increasing number of incurable insane in the hospitals of the State, and the very large number now confined in jails and poor-houses, make it absolutely necessary that the State, at the earliest practical moment, establish an institution for the better care and maintenance of the incurable insane: Therefore,

*Resolved,* That the Governor, the Board of State Prison Directors, and the State Board of Charities and Reform, are hereby constituted a commission to consider the feasibility and expediency of such change and removal of the State Prison. And if, in their judgment, such removal is for the best interest of the State, and the present building of the State Prison can be made available for the use and better care of the incurable insane, then they shall proceed to select a suitable site for the State Prison, and purchase the same, and the Governor shall draw his warrant on the State Treasurer, and pay for the lands so selected, taking a warranty deed in the name of the State of Wisconsin, and it shall be the duty of said commission to report a bill to the next legislature, providing for the erection of suitable buildings on the site so selected for a State Prison.

*Resolved,* That after a full and careful examination of the State Prison, with a view to its being made available for a hospital for the incurable insane, if they shall come to the conclusion that the buildings and location are not adapted to this purpose, and that it is not in the interest of the State to remove the State Prison, then said commissioners shall first determine as to the propriety of erecting suitable buildings for the incurable Insane on the grounds of the Wisconsin State Hospital for the Insane, or on the grounds of the Northern Hospital for the Insane; and if they shall decide that it is in the interest of the State to occupy these grounds for this purpose, it shall be their duty to report a bill to the next legislature, providing for the erection of suitable buildings for said hospital, either in connection with the Wisconsin State Hospital, or the Northern Hospital for the Insane; but if, in the judgment of the commissioners, a separate hospital for the incurable insane should be established, then they shall proceed to select a suitable site, and purchase the same, and the Governor shall draw his warrant on the State Treasurer, and pay for the lands so selected, taking a warranty deed in the name of the State of Wisconsin. And it shall be the duty of said commissioners to report a bill to the next legislature, providing for the



erection of suitable buildings for said hospital, on the lands selected for that purpose.

*Resolved*, That said commissioners shall meet at the capitol, in Madison, at such time as the Governor shall designate, and shall immediately enter upon the duties provided for in the foregoing resolutions.

The resolutions were referred to the Committee on Charitable and Penal Institutions.

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### REPORTS OF COMMITTEES.

The Committee on Engrossed Bills have examined and find correctly engrossed the following bills:

No. 253, S.,

A bill to amend chapter 113, of the private and local laws of 1867, and chapter 402, of the private and local laws of 1869, relating to the village of Shullsburg.

No. 127, S.,

A bill to amend chapter 171, of the private and local laws of 1868, entitled, "an act to amend chapter 30, of the private and local laws of 1853, entitled, 'an act to incorporate the Wisconsin River Improvement Company, and to amend chapter 171, of the private and local laws of 1866, amendatory thereof.'"

No. 259, S.,

A bill to provide for the payment of costs arising from actions brought in the name of the State by a special treasury agent.

M. C. No. 15, S.,

For an increase of mail service along mail-route No. 25,151, from Lake Five to Hartford, in Washington county, Wisconsin.

No. 121, S.,

A bill to amend chapter 80, of the general laws of 1872, entitled, "an act authorizing cities and villages to establish free public libraries and reading rooms."

D. E. WELCH,  
*Chairman.*

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The Committee on Enrolled Bills have examined the following bills, and find the same correctly enrolled:

No. 207, S.,

An act to amend chapter 59, of the private and local laws of 1868, entitled, "an act to incorporate the city of Fond du Lac," approved February 14, 1868, and limiting the bringing of actions against the city.

No. 105, S.,

An act appropriating to the Dodge County Agricultural Society a sum of money therein named.

No. 126, S.,

An act to amend section 1, of chapter 84, of the general laws of 1874, entitled, "an act to amend chapter 166, of the general laws of 1869, entitled, an act to repeal chapter 132, of the general laws of 1866, entitled, an act to vest the title of unredeemed lands in counties."

No. 75, S.,

An act in relation to attorney's fees in justices' courts.

No. 114, S.,

An act to appropriate money to the Outagamie County Agricultural Society.

No. 11, S.,

An act to appropriate to the Wisconsin State Agricultural Society a sum of money therein named.

No. 67, S.,

An act for the relief of the estate of John Reynolds, deceased.

No. 184, S.,

An act to regulate the license to be paid by railroad corporations.

No. 137, S.,

An act to fix the time of holding the several terms of the circuit court in the fourth judicial circuit.

No. 96, S.,

An act to provide for proving claims in justice courts.

No. 95, S.,

An act relating to the Waushara County Agricultural Society, and to appropriate a sum of money therein named.

H. N. DAVIS,

*Chairman.*

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The Committee on Education, to which was referred,

No. 107, S.,

A bill to provide for the increase of State school money, and to raise an annual State tax for that purpose.

No. 287, S.,

A bill to amend section 3, of chapter 292, of the laws of Wisconsin, of 1873, entitled, "an act to provide for a complete geological survey of Wisconsin, and to repeal chapter 137, of the general laws of 1870, entitled, an act to provide for the survey of the lead district, making maps and collecting statistics from the same, and chapter 136, of the general laws of 1872, amendatory thereof.

Has had the same under consideration and instructed me to report the same back with the recommendation that they do pass.

S. L. NEVINS,

*Chairman.*

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No. 107 was recommitted to the Committee on Claims.

The Committee on Railroads has had under consideration,

No. 255, A.,

A bill to authorize counties, towns, cities, and villages, to aid the Milwaukee, Lake Shore & Western Railway Company,

And report the same back with amendments, and recommend concurrence therein when so amended.

W. H. HINER,  
*Chairman.*

On motion of Senator Potter,

The rules were suspended, the amendments reported to said bill by the committee were adopted, and the bill was read a third time and concurred in.

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The Committee on the Judiciary, to which were referred,  
No. 212, S.,

A bill to legalize the salaries of the register of deeds and district attorney of Barron county.

No. 281, S.,

A bill to enable certain towns in the county of Polk, to settle their present indebtedness.

Has had the same under consideration and instructed me to report them back, with amendments, and the recommendation that they pass when so amended.

H. D. BARRON.  
*Chairman.*

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The Joint Committee on Claims, to which was referred,  
No. 157, S.,

A bill to appropriate a sum of money for the purchase of books for the State library.

Has had the same under consideration, and report it back with amendment, and recommend its passage when so amended.

No. 180, S.,

A bill to authorize the Secretary of State to order the binding of the report of the State Board of Charities and Reform.

Has had the same under consideration and report it back with the recommendation that it do pass.

FRANCIS CAMPBELL,  
*Chairman.*

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The Committee on Banks and Banking, to whom was referred,  
No. 390, A.,

A bill to repeal section 2, of chapter 215, private and local laws of 1870, entitled, "an act to amend section 2, of chapter 278, of the private and local laws of 1854, entitled, 'an act to incorporate the Germantown Farmers' Mutual Insurance Company,'" and all acts amendatory of said section.

Have considered the same, and recommend that it be concurred in.

WM. BLAIR,  
*Chairman.*

The Committee on State Affairs, to whom was referred,  
No. 334, A.,

A bill to amend chapter 198, of the general laws of 1873, entitled, an act to provide for the collection of the taxes therein named in certain cases.

Respectfully report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be concurred in.

L. W. BARDEN,  
*Chairman.*

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The Committee on Incorporations, to whom was referred,  
Mem. No. 185, S.,

Memorial of T. C. Pound in regard to bill No. 98, A.

Have had the same under consideration and instruct me to report the same back as follows: That the committee have granted the prayer of the memorialist and decided to hear the statement of facts in regard to said improvement to be made before them under oath, the time occupied in hearing the same not to exceed two days, and to state that the parties interested in said improvement desire the Senate to hear the argument before said committee, in their room, Friday afternoon, if convenient; and as to that part of the memorial requesting the Senate to visit the locality and inspect the same, your committee, owing to the near close of the session, are not able to recommend, and therefore report the same back without recommendation.

T. B. SCOTT,  
*Chairman.*

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The Committee on Town and County Organization, to which was referred,

No. 144, S.,

A bill to legalize the salaries of, and allowance to, the county officers of Burnett county.

Has had the same under consideration, and instructed me to report it back with amendment, and the recommendation that it pass when so amended.

W. P. ROUNDS,  
*Chairman.*

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The Committee on State Affairs, to whom was referred,  
No. 115, S.,

A bill to establish the salaries of State officers.

Respectfully report that they have had the same under consideration, and have instructed me to report the same back to the Senate with amendments, and recommend that it do pass when so amended.

L. W. BARDEN,  
*Chairman.*

The Committee on Incorporations, to which was referred,  
No. 395, A.,  
A bill to provide for the erection and maintenance of a slaughterhouse, in the village of Delavan.  
With an amendment.  
No. 44, A.,  
A bill to revise the charter of the city of Chippewa Falls.  
With amendments, and recommend concurrence when so amended.

THOMAS B. SCOTT,  
*Chairman.*

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The Committee on Public Lands, to whom was referred,  
No. 258, S.,  
A bill relating to trespassing on State lands, and for the repeal of chapter 21, of the general laws of 1871, entitled, "an act to consolidate and amend the laws relating to trespassing on State lands."  
Report the same back with an amendment, and recommend its passage when so amended.  
Senator McFarland dissenting.

MARK DOUGLAS,  
*Chairman.*

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The Joint Committee on Printing, to which was referred,  
No. 254, S.,  
A bill to appropriate to Atwood & Culver the sum of money therein named.  
Have had the same under consideration and instructed me to report the bill back with the recommendation that it be referred to Joint Committee on Claims.

R. J. FLINT,  
*Chairman.*

So ordered.

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#### REPORTS OF SELECT COMMITTEES.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Assembly to,  
No. 37, S.,  
A bill to appropriate to the State Board of Centennial Managers a sum of money.  
Having met, after full and free conference, have agreed to and do recommend:  
That the Senate recede from its disagreement to amendment No. 1.  
That the Assembly recede from amendment No. 2

That the two Houses agree to the following amendment to section 1, of the bill: "*Provided, further*, that all accounts shall require the approval of the Governor before presentation for payment."

R. E. DAVIS,  
L. W. BARDEN,  
D. E. WELCH,

*Managers on part of Senate.*

EDWARD LEES,  
GEO. H. LAWRENCE,  
D. W. CURTIS,

*Managers on part of Assembly.*

The report of the committee of conference was adopted by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Hathaway, Hiner, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot—31.

Nays—0.

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The select committee, to whom was referred,  
No. 242, S.,

A bill to appropriate a certain sum of money therein named to J. Henry Tate.

Report the same back, and respectfully recommend that it be referred to Committee on Claims.

D. L. DOWNS,  
*Committee.*

So ordered.

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The committee of one, to whom was referred,  
No. 257, S.,

A bill in relation to the boundaries of the town of Baldwin.

Has had the same under consideration, and reports it back with amendment, and the recommendation that it pass when so amended.

H. D. BARRON,  
*Committee.*

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The select committee, to whom was referred,  
No. 181, S.,

A bill in relation to the inspection of lumber, in the tenth lumber district.

Has had the same under consideration, and report the same

back with substitute, and recommend the passage of the substitute. The committee would also ask that the substitute be printed.

W. C. SILVERTHORN,

THOMAS B. SCOTT,

*Committee.*

So ordered.

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### EXECUTIVE COMMUNICATION.

STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,

MADISON, March 1, 1876.

*To the honorable, the Senate:*

In compliance with Jt. Res. No. 22, S., I herewith return, for further consideration, Senate bill No. 49, entitled, "an act relating to registration of electors, and amendatory of section 1, of chapter 232, of the general laws of 1875."

H. LUDINGTON,

*Governor.*

On motion of Senator Welch,

The bill was referred to a select committee, consisting of Senator Welch.

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STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,

MADISON, March 2, 1876.

*To the honorable, the Senate:*

The following entitled bills, memorials, and joint resolutions, originating in the Senate, have severally received the executive approval, and have been deposited in the office of the Secretary of State:

No. 4, S.,

An act supplemental to an act entitled, "an act to encourage the building of narrow-gauge railroads, and secure cheap transportation to the people," approved March 2, 1875.

Jt. Res. No. 18, S.,

Joint resolution requesting the establishment of a signal station at Madison, Wisconsin.

No. 52, S.,

An act to amend section 4, of chapter 430, of the private and local laws of 1868, entitled, an act to incorporate the Apple River Log Driving Company.

No. 263, S.,

An act to regulate the times of holding the circuit court in Dane county.

No. 47, S.,

An act to provide for the hearing and decision of motions and the making of orders in certain cases in civil actions.

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No. 48, S.,

An act to provide for the appointment of phonographic reporters for the circuit court of Oconto county.

Jt. Res. No. 15, S.,

Joint resolution instructing the Attorney-General to commence suit for the recovery of State money.

No. 36, S.,

An act to amend section 1, of chapter 77, of the laws of Wisconsin of 1875, entitled, "an act to amend chapter 96, of the revised statutes, entitled, 'of the powers of the circuit court over the estate of infants, insane persons, and habitual drunkards.'"

No. 120, S.,

An act to codify, consolidate, and amend the act to incorporate the city of Appleton, and the several acts amendatory thereof.

No. 16, S.,

An act to appropriate a sum of money therein named for the use of the Institution for the Education of the Blind, for the current expenses for the year ending March 1, 1877.

No. 19, S.,

An act to appropriate a sum of money therein named for the use of the Industrial School for Boys, for the payment of current expenses for the year ending March 1, 1877, for the payment of indebtedness and to complete the barn.

No. 34, S.,

An act to appropriate a sum of money therein named for the payment of current expenses at the State Prison, for the year ending March 1, 1877.

No. 31, S.,

An act relating to wills proved and allowed in any other of the United States or the Territories thereof.

No. 17, S.,

An act to appropriate to the Institute for the Education of the Deaf and Dumb, a sum of money therein named, for the payment of current expenses for the year ending March 1, 1877, and for permanent improvements.

No. 33, S.,

An act to appropriate a sum of money therein named for the payment of pensions to soldiers' orphans, as provided in chapter 72, of laws of 1872.

No. 53, S.,

An act to appropriate to Fred A. Dennett and R. M. Strong, each the sum of fifty dollars.

M. C. No. 8, S.,

For an increased appropriation for the extension of the signal service.

M. C. No. 10, S.,

For the establishment of a tri-weekly mail-route from Marquette, in the county of Green Lake, via Kingston, to Portage, in Columbia county.

No. 62, S.,

An act relating to the preservation of fish in Silver Lake and Fish



Lake, and the waters connecting them. in the county of Waushara.

No. 202, S.,

An act to amend section 12, of chapter 119, laws of 1872, entitled, "an act in relation to railroads, and the organization of railroad companies."

No. 59, S.,

An act to amend chapter 222, of the laws of 1852, entitled, an act to incorporate the Milwaukee Musical Society, approved April 5, 1852.

No. 28, S.,

An act to amend chapter 22, of the laws of 1875, entitled, "an act to amend chapter 136, of the laws of 1874, entitled, an act for the preservation of fish in Dell Creek."

No. 27, S.,

An act to appropriate to William P. Stowe, the sum of five hundred and twenty-seven dollars and interest from March 7, 1863.

No. 92, S.,

An act to authorize the taking of fish in the public waters of the State for the purpose of artificial propagation.

No. 103, S.,

An act to appropriate a sum of money therein named to the Industrial School for Boys, for the purpose of introducing the manufacture of boots and shoes.

Jt. Res. No. 5, S.,

Relating to a consolidated official Centennial Directory of the general and several State governments of the United States of America.

No. 60, S.,

An act to authorize the Secretary of State to order the binding of the report of the State Superintendent of Public Instruction.

No. 98, S.,

An act to amend chapter 46, of the general laws of 1869, entitled, an act to protect the lands and timber thereon granted to the St. Croix & Lake Superior Railroad Company.

No. 274, S.,

An act amendatory of chapter 72, of the private and local laws of 1858, relating to the city of Ripon.

No. 76, S.,

An act to authorize the construction of a pontoon bridge or railway ferry from some feasible point in Buffalo county, State of Wisconsin, to some feasible point in the State of Minnesota.

No. 101, S.,

An act to amend section 1, and repeal section 7, of chapter 146, of the general laws of 1872, entitled, an act to authorize the organization of corporations for other than manufacturing, mercantile, insurance, banking, transportation, or trading purposes.

No. 39, S.,

An act to appropriate to Conrad Krez a sum of money.

No. 3, S.,

An act to amend an act entitled, an act to incorporate the Mineral Point & Portage City Railroad Company, approved October 13, 1856.

No. 58, S.,

An act to amend section 1, of chapter 46, of the general laws of 1869, entitled, "an act to protect the lands and timber thereon, granted to the St. Croix and Lake Superior Railroad Company."

No. 70, S.,

An act to fix the time for holding the terms of the several circuit courts in the seventh judicial circuit.

HARRISON LUDINGTON,

*Governor.*

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof :

Mr. PRESIDENT :—I am directed to present you for signature,

No. 57, A.,

An act to allow compensation to clerks of the school districts of the State.

No. 72, A.,

An act to repeal section 7, chapter 166, general laws of 1872, entitled, "an act to organize the paid fire department, of any city within the State of Wisconsin, into a relief association."

No. 300, A.,

An act to amend section 15, of chapter 184, of the private and local laws of this State, approved March 25, 1867, entitled, an act to incorporate the village of Princeton, and to repeal chapter 7, of the laws of this State, approved January 26, 1865.

No. 384, A.,

An act to incorporate the city of Platteville.

No. 205, A.,

An act to authorize the restoration and maintenance of the waters of Brown's Lake, in the town of Burlington, Racine county, to and at their natural flow and level.

The same having been signed by the Speaker.

Said bills were signed by the President.

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### ASSEMBLY MESSAGE CONSIDERED.

The Assembly amendments to,

No. 106, S.,

A bill to permanently provide for deficiencies in the University fund income.

Were concurred in.

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof :

MR. PRESIDENT:—I am directed to inform you that the Assembly has agreed to the report of the committee of conference on the amendments to,

No. 37, S.,

A bill to appropriate to the State Board of Centennial Managers a sum of money.

And has concurred in the Senate amendments to Nos. 69 and 255, A.

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### ASSEMBLY BILLS READY FOR A THIRD READING.

No. 52, A.,

A bill to constitute the clerk of the circuit court of Waukesha county, in Wisconsin, clerk of the county court of said county.

No. 79, A.,

A bill to amend chapter 500, of the local laws of 1868, entitled, an act to consolidate and amend an act to incorporate the city of Madison, and the several acts amendatory thereof, approved March 6, 1868.

No. 97, A.,

A bill relating to justices of the peace and constables in the city of Milwaukee, and to repeal chapter 332, of the laws of 1875.

No. 117, A.,

A bill to amend section 2, of chapter 248, laws of 1875, entitled, an act relating to fencing railroads.

No. 139, A.,

A bill authorizing the correction of conveyances of real estate in certain cases.

No. 142, A.,

A bill to amend section 2, of chapter 78, of the general laws of 1873, entitled "an act to amend sections 17 and 18, of chapter 130, of the general laws of 1868, entitled, 'an act to provide for the assessment of property for taxation, and the levy of taxes thereon.'"

No. 157, A.,

A bill to authorize street railway companies to issue bonds, and to secure the same by mortgage or trust deed.

No. 171, A.,

A bill authorizing the taking of depositions in certain cases.

No. 172, A.,

A bill to legalize the official acts of Cyrus Lanyon, notary public.

No. 392, A.,

A bill relating to justices of the peace, in the city of Sheboygan, and to amend section 1, of chapter 236, of the laws of 1874, entitled, "an act to amend chapter 254, of the private and local laws of 1868, entitled, 'an act to revise, consolidate, and amend the act to incorporate the city of Sheboygan, and the several acts amendatory thereof, and to repeal chapter 94, of the private and local laws of 1865, entitled, 'an act to establish a code of procedure for the

police courts, of the city of Sheboygan, approved March 4, 1856, and the several acts amendatory thereof."

Were severally read a third time and concurred in.

No. 204, A.,

A bill to legalize and confirm a certain mortgage therein named.

Was read a third time and concurred in by the following vote:

Ayes—Senators Baker, Barney, Barron, Blair, Bryant, Cavanagh, H. N. Davis, Downs, Eastman, Farr, Hathaway, Hiner, Jacobs, McFarland, Mitchell, Rounds, Schuette, Silverthorn, and Wilmot—19.

Nays—Senators Campbell, Potter, Reed, Treat, and Welch—5.

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### SENATE BILLS READY FOR A THIRD READING.

No. 93, S.,

A bill to repeal chapter 348, of the laws of Wisconsin of 1874, entitled, "an act to amend chapter 46, of the general laws of 1869, entitled, 'an act to protect the lands and timber granted to the St. Croix and Lake Superior Railroad Company.'"

No. 121, S.,

A bill to amend chapter 80, of the general laws of 1872, entitled, "an act authorizing cities and villages to establish free public libraries and reading rooms."

No. 127, S.,

A bill to amend chapter 171, of the private and local laws of 1868, entitled, "an act to amend chapter 30, of the private and local laws of 1853, entitled, 'an act to incorporate the Wisconsin River Improvement Company, and to amend chapter 171, of the private and local laws of 1866, amendatory thereof.'"

No. 255, S.,

A bill to amend chapter 113, of the private and local laws of 1867, and chapter 402, of the private and local laws of 1869, relating to the village of Shullsburg,

M. C. No. 15, S.,

For an increase of mail service along mail-route No. 25,151, from Lake Five, to Hartford, in Washington county, Wisconsin.

Were severally read a third time and passed.

No. 258, S.,

A bill relating to trespassing on State lands, and for the repeal of chapter 21, of the general laws of 1871, entitled, "an act to consolidate and amend the laws relating to trespassing on State lands."

Was read a third time and passed by the following vote:

Ayes—Senators Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Nevins, Rounds, Schuette, Scott, Tate, and Treat—18.

Nays—Senators Barney, Cavanagh, R. E. Davis, Eastman, McFarland, Mitchell, Reed, Silverthorn, and Wilmot—9.

No. 259, S.,

A bill to provide for the payment of costs arising from actions brought in the name of the State by a special treasury agent.

Was read a third time and passed by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Farr, Hathaway, Hiner, Mitchell, Potter, Rounds, Schuette, Scott, Silverthorn, Tate, and Treat—20.

Nays—Senators Campbell, Downs, Eastman, and Wilmot—4.

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### ASSEMBLY BILLS ON THEIR THIRD READING.

No. 203, A.,

A bill to provide for the manner of electing assessors in the city of Neenah.

No. 210, A.,

A bill to amend chapter 63, of the local laws of 1855, entitled, "an act to change the name of Milwaukee Female College."

No. 215, A.,

A bill to amend section 3, of chapter 68, of private and local laws of 1868, entitled, an act to incorporate the Germania, of Milwaukee.

No. 286, A.,

A bill to authorize George H. Breckner, his associates, and his or their heirs and assigns to build and maintain a dam across the Sheboygan River, in the State of Wisconsin.

No. 334, A.,

A bill to amend chapter 198, of the general laws of 1873, entitled, an act to provide for the collection of the taxes therein named, in certain cases.

No. 390, A.,

A bill to repeal section 2, of chapter 215, of the private and local laws of 1870, an act to amend section 2, chapter 278, of the private and local laws of 1854, entitled, an act to incorporate the Germantown Farmers' Mutual Insurance Company, and all acts amendatory of said section.

No. 413 A.,

A bill to appropriate to Taylor S. Hayhurst a sum of money therein named.

No. 414, A.,

A bill to appropriate to Patrick Griffin a sum of money therein named.

Were severally ordered to a third reading.

The amendments to,

No. 44, A.,

A bill to revise the charter of the city of Chippewa Falls.

No. 395, A.,

A bill to amend section 1, of chapter 136, of the laws of 1873, entitled, "an act amending section 1, of chapter 95, of the general laws of 1871, 'an act to regulate the keeping of slaughter-houses in this State.'"

Were adopted, and the bills were ordered to a third reading.

No. 415, A.,

A bill to appropriate to Ansley Gray a sum of money therein named.

Senator Barden moved to amend the bill by inserting two hundred dollars instead of six hundred dollars, which amendment was lost, and the bill was ordered to a third reading.

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### SENATE BILLS ON THEIR ENGROSSMENT.

No. 180, S.,

A bill to authorize the Secretary of State to order the binding of the report of the State Board of Charities and Reform.

No. 287, S.,

A bill to amend section 3, of chapter 292, of the laws of Wisconsin, of 1873, entitled, "an act to provide for a complete geological survey of Wisconsin, and to repeal chapter 137, of the general laws of 1870, entitled, an act to provide for the survey of the lead district, making maps and collecting statistics from the same, and chapter 136, of the general laws of 1872, amendatory thereof."

Were severally ordered engrossed for a third reading.

The amendments to,

No. 144, S.,

A bill to equalize the salaries of, and allowances to the county officers of Burnett county.

No. 212, S.,

A bill to legalize the salaries of the register of deeds and district attorney of Barron county.

No. 281, S.,

A bill to enable certain towns in the county of Polk to settle their present indebtedness.

Were adopted, and the bills were severally ordered engrossed for a third reading.

The amendments to,

No. 157, S.,

A bill to appropriate a sum of money for the purchase of books for the State library.

Were adopted and the bill was ordered engrossed for a third reading by the following vote:

Ayes—Senators Barney, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Hathaway, Hiner, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Schuette, Silverthorn, Treat, and Wilmot—23.

Nays—Senators Barron, Flint, Tate, and Welch—4.

The amendments to,

No. 26, S.,

A bill to amend chapter 111, of the revised statutes, entitled, of divorce.

Reported by the committee, were adopted.

Senator Farr offered the following amendment:

Amend by adding after the words "insanity" or "insane," wherever they occur, the words "or incurable disease."

The amendment was lost.

The bill was then ordered engrossed for a third reading by the following vote:

Ayes—Senators Baker, Barney, Barron, Blair, H. N. Davis, R. E. Davis, Downs, Eastman, Hathaway, Hiner, Jacobs, McFarland, Mitchell, Potter, Reed, Rounds, Schuette, Scott, Tate, and Welch—20.

Nays—Senators Barden, Bryant, Campbell, Cavanagh, Douglas, Farr, Flint, Nevins, Silverthorn, Treat and Wilmot—11.

Senator Barron moved that,

No. 57, S., Jt. Res, Nos. 17, and Nos. 232 and 246, S.,

Be made the special order for to-morrow at 10:30, a. m.

Which motion prevailed.

Senator Flint asked unanimous leave to have his vote recorded on No. 51, S., which was indefinitely postponed| on yesterday, during his absence.

Leave being granted, the name of Senator Flint was called, and he voted "no."

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On motion of Senator Rounds,  
The Senate adjourned.

31—s j

FRIDAY, MARCH 3, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

Prayer by the Rev. C. H. Richards.

The roll was called, and the following Senators answered to their names:

Senators Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot.

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#### REPORTS OF COMMITTEES.

The Committee on Engrossed Bills have examined and find correctly engrossed the following bills:

No. 212, S.,

A bill to legalize the salaries of the register of deeds and district attorney of Barron county.

No. 144, S.,

A bill to legalize the salaries of, and allowances to, the county officers of Burnett county.

No. 180, S.,

A bill to authorize the Secretary of State to order the binding of the report of the State Board of Charities and Reform.

No. 281, S.,

A bill to enable certain towns in the county of Polk to settle their present indebtedness.

No. 287, S.,

A bill to amend section 3, of chapter 292, of the laws of Wisconsin, of 1873, entitled, "an act to provide for a complete geological survey of Wisconsin, and to repeal chapter 137, of the general laws



of 1870, entitled, an act to provide for the survey of the lead district, making maps and collecting statistics from the same, and chapter 136, of the general laws of 1872, amendatory thereof."

No. 26, S.,

A bill to amend chapter 111, of the revised statutes, entitled, of divorce.

D. E. WELCH,  
*Chairman.*

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The Committee on Enrolled Bills have examined and find correctly enrolled the following bills:

No. 37, S.,

An act to appropriate to the State Board of Centennial Managers a sum of money therein named.

No. 183, S.,

An act to authorize the Commissioners of School and University Lands to loan a portion of the trust-funds of the State, to the county of Racine.

No. 140, S.,

An act to authorize Dudley J. Spaulding to maintain dams across the north and south forks of Popple River and Brett Creek, in Clark county.

No. 131, S.,

An act to appropriate to the Iowa and Door County Agricultural Societies a sum of money therein named.

No. 153, S.,

An act to amend sections 11 and 13, of chapter 243, of the laws of 1874, entitled, an act relating to public printing.

No. 110, S.,

An act relating to the change of venue in civil cases.

No. 40, S.,

An act to authorize and require the county clerk of the county of Burnett, to make and keep up an abstract of tax-sales.

R. J. FLINT,  
*Chairman.*

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The Committee on the Judiciary, to which were referred,

No. 218, A.,

A bill to legalize the acts of United States Court Commissioners for the eastern district of Wisconsin in certain cases.

No. 154, A.,

A bill to legalize certain illegalities in certificates of tax sale.

No. 370, A.,

A bill in relation to evidence in suits on official bonds, and to recover public funds.

No. 287, A.,

A bill to legalize the formation of the "Amherst Cemetery Association."

No. 235, A.,

A bill in relation to the publication of legal notices.

No. 54, A.,

A bill to amend section 18, of chapter 165, of the revised statutes of the State of Wisconsin, entitled, "of offenses against property."

No. 194, A.,

A bill to provide for the recording of the lands of the Wisconsin Railroad Farm-Mortgage Land Company, in the register's office of the several counties in which such lands are situated.

No. 328, A.,

A bill to authorize the city of Racine to transfer money, and to levy a tax to cover deficiencies in certain city funds.

No. 266, A.,

A bill to amend section 16, chapter 3, of chapter 474, of the private and local laws of 1868, relating to the appointment of a justice of the peace as police justice in certain cases.

No. 368, A.,

A bill relating to petit juries in Marquette county.

No. 248, A.,

A bill to amend section 2, chapter 9, general laws 1872, in relation to special terms of court for Door county.

No. 170, A.,

A bill to amend chapter 119, of the general laws of 1875, entitled, "an act to prevent gambling on railroad cars."

No. 208, A.,

A bill to amend an act, entitled, "an act to further provide for the publication of the decisions of the Supreme Court, approved March 17, 1870."

No. 207, A.,

A bill authorizing the county board of supervisors, of Grant county, to levy tax on the town of Hickory Grove, in said county, to correct an error in tax levy of 1872.

No. 187, A.,

A bill conferring certain powers upon the town board of supervisors of the town of Bayfield, Bayfield county.

No. 391, A.,

A bill to amend chapter 254, of the private and local laws, 1868, entitled, an act to revise, consolidate, and amend the act to incorporate the city of Sheboygan, and the several acts amendatory thereof, and to repeal chapter 94, of the private and local laws of 1856, entitled, an act to establish a code of procedure for the police court of the city of Sheboygan, approved March 4, 1856.

Has had the same under consideration and instructed me to report them back, with the recommendation that they be concurred in.

H. D. BARRON.

*Chairman.*

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The Committee on Railroads has had under consideration,

No. 212, A.,

A bill to amend section 76, of the private and local laws of 1871,

entitled, "an act to amend chapter 93, of the private and local laws of 1867, entitled, 'an act to authorize the counties and towns through which the Green Bay and Lake Pepin Railroad passes, to aid in its construction.'"

And report the same back and recommend concurrence therein.

W. H. HINER,  
*Chairman.*

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The Committee on Railroads, to which was referred,

No. 122, S.,

A bill to extend the time for settlers upon certain land-grant lands to acquire title thereto.

Has had the same under consideration and instruct me to report it back, with certain amendments, and recommend that when amended it pass.

W. H. HINER,  
*Chairman.*

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The Committee on Military Affairs, to whom was referred,

No. 65, S.,

A bill to perfect and encourage the organization of the State militia, and appropriating money therefor.

Have had the same under consideration and report the same back with substitute, and recommend the passage of the substitute.

No. 55, S.,

A bill to amend section 52, of chapter 188, of the general laws of 1873, entitled, an act to provide for the incorporation of villages.

And recommend that it be indefinitely postponed.

No. 306, A.,

A bill to amend section 6, of chapter 87, of the laws of 1873, entitled, "an act granting to Albert Taylor, the right to establish and maintain a ferry across the Mississippi River, from some point above the limits of the village of Alma, in Buffalo county, and the mouth of the Chippewa River, in Buffalo county, to the opposite shore in the State of Minnesota.

And recommend that the same be concurred in.

D. E. WELCH,  
*Chairman.*

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The Joint Committee on Charitable and Penal Institutions, to which was referred,

No. 71, S.,

A bill to provide for the enlargement of Wisconsin State Hospital for the Insane.

No. 91, S.,

A bill to appropriate to the St. Nazian Society, at Manitowoc, a sum of money therein named.

No. 276, S.,

A bill to found the Wisconsin Home for the Incurable Insane.

Have had the same under consideration, and have instructed me to report the bills back with a recommendation that they be indefinitely postponed.

Jt. Res. No. 23, S.,

Joint resolution relating to the location of the State Prison, and a hospital for the incurable insane.

Have had the same under consideration, and have instructed me to report the resolution back with a recommendation that it be adopted.

H. N. DAVIS,  
*Chairman.*

No. 276, S.,

Was, on motion of Senator H. N. Davis,

Referred to select committee consisting of Senator Reed.

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The Committee on Incorporations, to which was referred,

No. 348, A.,

A bill to amend chapter 449, private and local laws of 1869, entitled, "an act to incorporate the city of Oconto."

No. 349, A.,

A bill to amend chapter 93, of the laws of 1873, entitled, an act to amend chapter 449, of the private and local laws of 1860, entitled, an act to incorporate the city of Oconto.

No. 253, A.,

A bill to authorize the city of Watertown, by its board of street commissioners, to purchase a steam fire engine and necessary equipments, at an expense of not more than eight thousand dollars.

No. 237, A.,

A bill to amend chapter 85, of the general laws of 1866, entitled, "an act relating to the vacation of town, city, or village plats, or any part thereof."

Have had the same under consideration, and instructed me to report the same back, and passage recommended.

THOMAS B. SCOTT,  
*Chairman.*

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The Committee on Town and County Organization, to whom was referred,

Mems. No. 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, and 179, S.,

Have had the subject matter therein referred to under consideration, and having reported the bill back, respectfully return the petitions back to the Senate.

No. 138, A.,

A bill to amend chapter 170, of the general laws of 1868, entitled, an act to amend section 28, of chapter 13, of the revised statutes, entitled, "of counties and county officers."

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No. 213, A.,

A bill to amend section 8, of chapter 15, of the revised statutes, entitled, of towns and town officers, powers and duties of towns.

And report the same back without amendment, and recommend their passage.

No. 282, A.,

A bill to amend section 3, of chapter 15, of the revised statutes, "of towns and town officers,"

And recommend that it be indefinitely postponed.

W. P. ROUNDS,

*Chairman.*

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The Joint Committee on Printing, to whom was referred,

Res. No. 39, S.,

Relating to the publication of local laws, and the providing for the payment thereof.

Have had the same under consideration, and instructed me to report the same back with bill, and recommend the passage of said bill.

R. J. FLINT,

*Chairman.*

Said bill became,

No. 295, S.,

A bill relating to the publication of local laws.

Referred to Committee on Judiciary.

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### REPORTS OF SPECIAL COMMITTEES.

The special committee, to whom was referred No. 30, S., in relation to the university and the experimental farm, having had the matter under consideration, beg leave to report:

That we have had every facility afforded us by the resident regents of the university and the farm superintendent to examine into the conduct of affairs, the character, quality, and quantity of work performed, and the system of accounting for the same.

We have visited the university and carefully examined the buildings, farm and grounds, and the property connected therewith; we have also examined their books of account, and find in them a clear, perspicuous detail statement of all transactions in relation to the farm. The system of accounts is most admirable and satisfactory, with this single criticism: under the head of "experimental farm" we find the total expenses \$4,071.29, which, without explanation, would tend to mislead, and indicate a much larger expense upon the farm, and especially in experiments, than is in fact made.

A careful examination and analysis of the accounts discloses that not exceeding one-third of that amount was consumed in conducting actual experiments. The balance having been used for clearing, grubbing and preparing new lands, the general care and

improvement of the entire farm together with the drive-ways and the extensive grounds of the university proper.

The farm superintendent, with his laborers and teams, have been employed much of the time in the general care and improvement of the entire property; the result of which is apparent, and also in the preparation and delivery of fuel at the university, grading and clearing up the university grounds, transplanting trees, and the general work always required in keeping up, and in repair, extensive buildings of the character of those on the university grounds.

All this, in the classification of accounts, has been charged under the head of "experimental farm," conveying the impression that the expense of conducting the experiments, has been nearly three times what it in fact has been.

While we are satisfied that the accounts are correct and the expenses not unreasonable, we would suggest that hereafter, if practicable, the account should be so kept and reported, as to more clearly show the actual costs of conducting the experiments.

It should not be expected that experimental farming can be made remunerative in the way of immediate returns for products sold, but it is hoped the general benefits to be derived from the results attained, will compensate the people of the whole State.

The opportunity given to us to look into the management of the affairs of the university generally, has increased our faith in its usefulness, and, while we saw the need of much that ought to be done, we can but commend the general policy of the regents in keeping their expenses within the means at their commands. It is too apt to be the case that state institutions over-draw their funds, and are not as particular in this respect as they might be.

We find here an exception to the general rule, and are glad to commend it.

In the future, as the means will allow, we look to see permanent improvements and useful and ornamental changes, that will greatly add to the charm of the beautiful location of this seat of learning, making it, as it should be, the just pride of the State, not only for its solid learning, but for its refining and elevating influences.

We have seen much to commend and but little to criticise, and, in conclusion, we cannot but express our satisfaction at the condition of the university, and its progress in the past, and its promise of great good in the future, to the people of the State.

D. E. WELCH,  
JOHN SCHUETTE,  
J. A. BARNEY,

*Committee.*

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The special committee, to whom was referred,

No. 41, S.,

Ask leave to report the same back with a substitute, and recommend its reference to Committee on Internal Improvements.

GEO. E. BRYANT.

*Special Committee.*

So ordered.

The select committee, to whom was referred,

No. 273, S.,

A bill for the construction of a dam on Otter Creek, township 40, range 18 east, in Oconto county, Wisconsin, and to maintain the same for manufacturing purposes.

Would respectfully report the same back and recommend its passage.

W. P. ROUNDS,  
*Chairman.*

The special committee, to whom was referred,

No. 43, S.,

A bill to repeal chapter 39, laws of 1875, entitled, "an act to amend chapter 273, laws of 1874, entitled, 'an act relating to railroads, express, and telegraph companies in the State of Wisconsin.'"

Ask leave to report the same back, with a substitute, and recommend its reference to Committee on Incorporations.

G. E. BRYANT,  
*Special Committee.*

So ordered.

The special committee, to whom was referred,

No. 42, S.,

A bill to repeal chapter 290, of the laws of 1874, entitled, "an act to authorize the board of railroad commissioners to employ a clerk."

Ask leave to report the same back, with a substitute, and recommend its reference to the Committee on Railroads.

G. E. BRYANT,  
*Special Committee.*

So ordered.

### EXECUTIVE COMMUNICATION.

STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,  
*MADISON, March 3, 1876.*

*To the honorable, the Senate:*

In conformity with the requirements of chapter 273, of the laws of 1874, as amended by chapter 57, of the laws of 1876, I hereby appoint, subject to the approval of the Senate, Dana C. Lamb, Railroad Commissioner for the State of Wisconsin, to hold his office for the term of two years from the 15th day of February, 1876, and until his successor is appointed and qualified.

H. LUDINGTON,  
*Governor.*

The communication was, on motion, referred to the Committee on Railroads.

## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 290, A.,

A bill to regulate the practice of pharmacy and the sale of poisons, to prevent the adulteration of drugs and medicinal preparations in the city of Milwaukee.

No. 249, A.,

A bill to establish lumber district number twelve in the State of Wisconsin.

No. 94, A.,

A bill to authorize the common council of the city of Janesville, to fill certain excavations in Center Avenue.

No. 182, A.,

A bill to amend chapter 18, general laws of 1871, entitled, an act to provide for holding normal institutes in the State of Wisconsin, and appropriate a certain sum of money for the purposes therein named.

No. 398, A.,

A bill to amend section 14, chapter 130, general laws of 1868, entitled, an act to provide for the assessment of property for taxation, and the levy of taxes thereon.

No. 113, A.,

A bill concerning the times of payment of salaries of certain officers and employees of the State.

No. 221, A.,

A bill repealing chapter 249, laws of 1875, entitled, an act to provide for the letting of the county printing for the county of Milwaukee.

No. 369, A.,

A bill to amend an act entitled, an act to revise and consolidate an act entitled, an act to incorporate the Wisconsin Valley Railroad Company, and the various acts amendatory thereto, approved March 16, 1871.

And has concurred with the Senate in the passage of,

No. 68, S.,

A bill to amend section 1, of chapter 323, laws of 1875, relating to free high schools.

No. 35, S.,

A bill to amend chapter 274, of the private and local laws of 1869, entitled, "an act to incorporate the city of Grand Rapids."

No. 149, S.,

A bill relating to the preparation, publication, and distribution of the final report of the geological survey, and to appropriate a sum of money therein named.

No. 282, S.,

A bill in relation to the State library.

No. 61, S.,

A bill to provide for the purchase of 300 copies of Webster's Unabridged Dictionary.



No. 199, S.,

A bill to amend chapter 228, of the laws of 1875, entitled, "an act to amend chapter 275, of the private and local laws of 1870, entitled, 'an act to incorporate the city of Manitowoc.'"

No. 182, S.,

A bill for the organization of corporations for benevolent purposes.

No. 263, S.,

A bill declaring certain waters of the Kinnikinnick River, in the town of Lake, Milwaukee county, to be navigable waters.

No. 190, S.,

A bill to amend section 2, of title 3, of chapter 253, of the private and local laws of 1868, entitled, an act to revise and amend chapter 176, of the private and local laws of 1857, entitled, an act to amend an act entitled, an act to incorporate the city of Beloit, approved March 31, 1856.

No. 241, S.,

A bill to authorize and empower the School Land Commissioners to extend the time for payment of balance of principal on loan to school district No. 2, town of Richland, county of Richland, and State of Wisconsin.

No. 247, S.,

A bill to reconstruct the eleventh judicial circuit, and fix the time for holding the terms thereof.

No. 243, S.,

A bill to cure all defects and irregularities in the proceedings relative to the reorganization into joint stock company by the Waukesha County Agricultural Society.

No. 139, S.,

A bill to appropriate to P. R. Tierney a sum of money therein named.

No. 185, S.,

A bill to authorize the Commissioners of School and University Lands, to loan a portion of the trust funds of the State, to the county of Wood.

No. 162, S.,

A bill in relation to claims against the State presented to either branch of the legislature.

No. 231, S.,

A bill to amend chapter 109, of the general laws of 1874, entitled, an act to provide for the proper safe keeping of the report of the geological survey.

And has amended, and concurred in as amended.

No. 150, S.,

A bill to provide for the better care of pauper and destitute children.

No. 109, S.,

A bill in relation to the organization of towns.

And has indefinitely postponed,

No. 130, S.,

A bill to repeal chapter 150, of the general laws of 1868, en-

titled, "an act relating to the collection of taxes," and acts amendatory thereof.

And has adopted, and asks the concurrence of the Senate in the adoption of,

Jt. Res. No. 22, A.,

Instructing the Secretary of State to forward copies of journals and laws of the present session to members of this legislature.

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#### ASSEMBLY MESSAGE CONSIDERED.

Nos. 94, and 249, A.,

Were referred to the Committee on Incorporations.

No. 398, A.,

Was referred to the Committee on Judiciary.

No. 182, A.,

Was referred to the Committee on Education.

No. 113, A.,

Was referred to the Committee on State Affairs.

No. 369, A.,

Was referred to the Committee on Railroads.

No. 221, A.,

Was referred to the general file.

No. 290, A.,

Was referred to a select committee consisting of Senators Jacobs and Mitchell.

Jt. Res. No. 22, A.,

Was referred to the select committee on Jt. Res. No. 20.

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#### THE SPECIAL ORDER.

On motion of Senator Barron,

The Senate resolved itself into a

#### COMMITTEE OF THE WHOLE

To consider the bills and resolutions which were made the special order for this hour.

Senator Silverthorn in the chair.

After some time spent therein, the committee rose, and through their chairman reported as follows :

MR. PRESIDENT:—The Senate, in Committee of the Whole, has had under consideration

Nos. 57, 232, and 246, and Jt. Res. No. 17, S.,

And has gone through with the same and instructed me to report as follows:

No. 57, and Jt. Res. No. 17, S.,

Without amendment.

Nos. 232 and 246, S.,

With amendment.

## REPORT OF THE COMMITTEE OF THE WHOLE CONSIDERED.

No. 57, S.,

Was indefinitely postponed.

Jt. Res. No. 17, S.

The question being on ordering said joint resolution engrossed. Senator Baker offered the following amendment:

"And that every juryman shall subscribe to an oath that he can read and write."

Senator Tate moved to amend the amendment by adding, "and understand the English language."

Senator Silverthorn moved to lay the amendment on the table.

Which motion was lost.

The amendment to the amendment was then lost, and the amendment offered by Senator Baker was rejected.

Senator Barron moved to reconsider the vote by which Senator Baker's amendment was lost.

Which motion was lost by the following vote:

Ayes—Senators Baker, Barron, Blair, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Potter, Scott, Silverthorn, Treat, and Welch—15.

Nays—Senators Barden, Barney, Bryant, Campbell, Cavanagh, R. E. Davis, Eastman, Hudd, McFarland, Mitchell, Nevins, Reed, Schuette, Tate, and Wilmot—15.

Senator Barron offered the following amendment, as a substitute:

Every elector of the age of 21 years, and every person who shall hereafter attain that age, and is an elector, shall, after the expiration of the next ensuing 21 years, be entitled to two votes, and to an additional vote after the expiration of 21 years from the time when he is so entitled to a second ballot, and all persons who are now electors, shall, after the expiration of 21 years, be entitled to two ballots; *provided*, that said period of 21 years does not carry any such elector beyond the age of 63 years. This provision shall apply to naturalized citizens, and the said 21 years shall commence to run from and after the date of naturalization!

The chair ruled the amendment out of order.

Senator Silverthorn moved that the resolution be indefinitely postponed.

Which motion prevailed by the following vote:

Ayes—Senators Barron, Blair, Campbell, Cavanagh, H.N. Davis, R. E. Davis, Douglas, Eastman, Farr, McFarland, Mitchell, Nevins, Silverthorn, Tate, Treat, and Wilmot—16.

Nays—Senators Baker, Barden, Barney, Bryant, Downs, Flint, Hathaway, Hiner, Hudd, Potter, Reed, Schuette, Scott, and Welch—14.

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On motion of Senator Campbell,  
The Senate adjourned.

SATURDAY, MARCH 4, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

Prayer by the Rev. C. H. Richards.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, McFarland, Mitchell, Nevins, Potter, Rounds, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot.

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#### LEAVES OF ABSENCE.

Leave was granted,

To Senator Jacobs, until Tuesday.

To Senator Wilmot, until Monday evening.

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#### COMMUNICATIONS.

The President presented the following communication from the Secretary of State:

STATE OF WISCONSIN, SECRETARY'S OFFICE,  
MADISON, March 2, 1876.

*To the honorable, the President of the Senate:*

SIR:—In compliance with resolution No. 48, S., I have the honor to transmit herewith a statement showing the number of civil actions commenced in the several circuit courts of this State, and in the several counties thereof, during the fiscal years ending September 30, 1874, and September 30, 1875, as the same appears from the returns made to this office.

Very respectfully,

PETER DOYLE,  
*Secretary of State.*

*Statement showing the number of civil actions commenced in the several judicial circuit courts and in the several counties thereof, during the fiscal year ending September 30, 1874, and the fiscal year ending September 30, 1875, as appears from official reports made to the Secretary of State.*

| Number of circuit. | COUNTIES CONSTITUTING CIRCUIT. | 1874.             |                    | 1875.             |                    |
|--------------------|--------------------------------|-------------------|--------------------|-------------------|--------------------|
|                    |                                | Number in county. | Number in circuit. | Number in county. | Number in circuit. |
| First .....        | Walworth .....                 | 74                | 246                | 79                | 180                |
|                    | Racine .....                   | 106               |                    | 44                |                    |
|                    | Kenosha .....                  | 66                |                    | 57                |                    |
| Second ...         | Milwaukee .....                | 583               | 650                | 793               | 844                |
|                    | Waukesha .....                 | 67                |                    | 51                |                    |
| Third .....        | Marquette .....                | 18                | 349                | 18                | 335                |
|                    | Green Lake .....               | 62                |                    | 47                |                    |
|                    | Dodge .....                    | 65                |                    | 62                |                    |
|                    | Washington .....               | 50                |                    | 61                |                    |
|                    | Ozaukee .....                  | 47                |                    | 34                |                    |
|                    | Winnebago .....                | 107               |                    | 113               |                    |
| Fourth ...         | Sheboygan .....                | 19                | 236                | 29                | 400                |
|                    | Calumet .....                  | 28                |                    | 54                |                    |
|                    | Manitowoc .....                | 93                |                    | 188               |                    |
|                    | Kewaunee .....                 | 9                 |                    | 43                |                    |
|                    | Fond du Lac .....              | 87                |                    | 86                |                    |
| Fifth .....        | Grant .....                    | 187               | 492                | 121               | 351                |
|                    | Iowa .....                     | 92                |                    | 75                |                    |
|                    | La Fayette .....               | 70                |                    | 52                |                    |
|                    | Richland .....                 | 41                |                    | 36                |                    |
|                    | Crawford .....                 | 42                |                    | 67                |                    |
| Sixth .....        | Clark .....                    | 53                | 353                | 77                | 423                |
|                    | Jackson .....                  | 57                |                    | 28                |                    |
|                    | Monroe .....                   | 56                |                    | 81                |                    |
|                    | La Crosse .....                | 52                |                    | 52                |                    |
|                    | Vernon .....                   | 57                |                    | 71                |                    |
|                    | Buffalo .....                  | 22                |                    | 37                |                    |
|                    | Trempealeau .....              | 56                |                    | 77                |                    |
| Seventh...         | Marathon .....                 | 39                |                    | 67                |                    |
|                    | Portage .....                  | 53                |                    | 100               |                    |
|                    | Waushara .....                 | 18                |                    | 38                |                    |
|                    | Waupaca .....                  | 54                |                    | 56                |                    |
|                    | Adams .....                    | 23                |                    | 12                |                    |
|                    | Juneau .....                   | 49                |                    | 68                |                    |

*Statement showing number of civil actions, &c.—Continued.*

| Number of circuit. | COUNTIES CONSTITUTING CIRCUIT. | 1874.             |                    | 1875.             |                    |
|--------------------|--------------------------------|-------------------|--------------------|-------------------|--------------------|
|                    |                                | Number in county. | Number in circuit. | Number in county. | Number in circuit. |
| Seventh...         | Lincoln .....                  |                   |                    | 4                 |                    |
|                    | Taylor .....                   |                   |                    |                   |                    |
|                    | Wood .....                     | 55                |                    | 63                |                    |
|                    |                                |                   | 291                |                   | 408                |
| Eighth...          | Barron .....                   | 4                 |                    | 2                 |                    |
|                    | Chippewa .....                 | 119               |                    | 161               |                    |
|                    | Dunn .....                     | 86                |                    | 47                |                    |
|                    | Eau Claire .....               | 155               |                    | 203               |                    |
|                    | Pepin .....                    | 25                |                    | 16                |                    |
|                    | Pierce .....                   | 32                |                    | 40                |                    |
|                    | St. Croix .....                | 144               |                    | 163               |                    |
|                    |                                |                   | 565                |                   | 632                |
| Ninth.....         | Columbia .....                 | 94                |                    | 85                |                    |
|                    | Dane .....                     | 321               |                    | 271               |                    |
|                    | Sauk .....                     | 39                |                    | 51                |                    |
|                    |                                |                   | 454                |                   | 407                |
| Tenth.....         | Outagamie .....                | 72                |                    | 193               |                    |
|                    | Oconto .....                   | 34                |                    | 44                |                    |
|                    | Shawano .....                  | 20                |                    | 23                |                    |
|                    | Door .....                     | 22                |                    | 52                |                    |
|                    | Brown .....                    | 56                |                    | 50                |                    |
|                    |                                |                   | 204                |                   | 362                |
| Eleventh..         | Ashland .....                  | 19                |                    | 12                |                    |
|                    | Bayfield .....                 | 11                |                    | 2                 |                    |
|                    | Douglas .....                  | 20                |                    | 11                |                    |
|                    | Polk .....                     | 27                |                    | 47                |                    |
|                    | Burnett .....                  | 3                 |                    | 4                 |                    |
|                    |                                |                   | 80                 |                   | 76                 |
| Twelfth...         | Rock .....                     | 139               |                    | 115               |                    |
|                    | Green .....                    | 31                |                    | 61                |                    |
|                    | Jefferson .....                | 65                |                    | 71                |                    |
|                    |                                |                   | 235                |                   | 247                |

Senator Tate moved that the vote by which the Senate indefinitely postponed,

Jt. Res. No. 17, S.,

On yesterday, be reconsidered.

Senator Barron moved to lay the motion on the table.

Which motion was lost by the following vote:

Ayes—Senators Barron, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Eastman, Farr, Hiner, Mitchell, Nevins, Rounds, Silverthorn, and Treat—14.

Nays—Senators Baker, Barden, Barney, Blair, Bryant, Downs, Flint, Hathaway, Hudd, McFarland, Reed, Schuette, Scott, Tate, and Welch—15.

On motion of Senator H. N. Davis,

Further consideration of this subject was postponed until Tuesday, the 7th inst., at 11 o'clock a. m.

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### REPORTS OF COMMITTEES.

The Committee on Engrossed Bills have examined and find correctly engrossed the following bills:

No. 157, S.,

A bill to appropriate a certain sum of money for the purchase of books for the State library.

No. 112, S.,

A bill to authorize the county of Burnett to build and maintain a free bridge across the St. Croix River, in town thirty-eight, (38,) north of range twenty, (20,) west.

D. E. WELCH,  
*Chairman.*

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The Committee on Roads, Bridges, and Ferries, to whom was referred,

No. 238, A.,

A bill to amend sections 138 and 139, of chapter 152, general laws of 1869, entitled, an act to codify the laws of this State relating to highways and bridges.

Have had the same under consideration, and report the same back with the recommendation that it be concurred in.

JOHN SCHUETTE,  
*Chairman.*

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The Committee on State Affairs, to whom was referred,

No. 176, S.,

A bill to provide for the incorporation of associations or companies for lumbering or logging purposes.

Respectfully report that they have had the same under consider-

ation, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. W. BARDEN,  
*Chairman.*

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The Committee on Roads, Bridges, and Ferries, to whom was referred,

No. 149, A.,

A bill to provide for the repair and maintenance by the city of Green Bay, of a certain bridge belonging to said city, between said city and the second ward of the city of Fort Howard, and to authorize the levy of a tax for that purpose upon the property in the second ward of the city of Fort Howard.

Have had the same under consideration, and report the same back with the recommendation that it be concurred in.

J. SCHUETTE,  
*Chairman.*

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The Committee on Education, to which were referred,

No. 152, A.,

A bill to authorize the board of supervisors of Chippewa county, to fix the salary of the county superintendent of schools.

No. 182, A.,

A bill to amend chapter 18, of the general laws of 1871, entitled, an act to provide for holding normal institutes in the State of Wisconsin, and to appropriate a certain sum of money for the purposes therein named.

No. 309, A.,

A bill to authorize the Commissioners of School and University Lands to loan a portion of the trust funds of the State to the county of Clark.

No. 345, A.,

A bill for an act to authorize the city of Janesville, to build a school-house in the fourth and fifth wards, and to issue bonds of said city therefor.

Has had the same under consideration and instruct me to report them back, with the recommendation that they be concurred in.

S. L. NEVINS,  
*Chairman.*

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The Committee on Incorporations, to whom was referred,

No. 410, A.,

A bill to amend chapter 262, of the laws of 1875, entitled, "an act to revise, consolidate, and amend an act to incorporate the city of Green Bay, and the several acts amendatory thereof,"

Report the same back with amendments, and recommend the adoption of said amendments, and the concurrence in the same when so amended.

THOMAS B. SCOTT,  
*Chairman.*



On motion of Senator Hudd,  
The rules were suspended, the amendments were adopted, and  
the bill was read a third time and concurred in.

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The Committee on Incorporations, to whom was referred,  
No. 43, S.,

A bill to repeal chapter 39, laws of 1875, entitled, an act to  
amend chapter 273, laws of 1874, entitled, an act relating to rail-  
roads, express, and telegraph companies in the State of Wisconsin.

With substitute, and recommend passage of substitute.

THOMAS B. SCOTT,

*Chairman.*

On motion of Senator Scott,

The rules were suspended, and the amendments were adopted.

And the bill was read a third time and passed.

And the title was amended so as to read as follows: "A bill re-  
lating to the equalization and assessment of taxes in the city of  
Grand Rapids."

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The Committee on the Judiciary, to which was referred,

No. 22, A.,

A bill to lay out a State road from the city of Chippewa Falls, in  
Chippewa county, to Medford, in Taylor county, and a road from  
Westboro, in Taylor county, to intersect the same.

Has had the same under consideration and instructed me to re-  
port it back with the recommendation that it be recommitted to  
the Committee on Roads, Bridges, and Ferries.

H. D. BARRON,

*Chairman.*

So ordered.

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The Committee on the Judiciary, to which were referred,

No. 209, S.,

A bill providing for struck juries.

No. 201, S.,

A bill relating to hawkers and peddlers, and amendatory of chap-  
ter 72, of the laws of 1870.

No. 201, A.,

A bill prohibiting the paying of damages to persons in Polk  
county, who petition for laying out, discontinuing, or vacating  
highways.

Has had the same under consideration, and instructed me to re-  
port them back, with amendments, and the recommendation that

Nos. 209 and 201, S., pass, and that No. 201, A., be concurred in when so amended.

H. D. BARRON,  
*Chairman.*

The Committee on the Judiciary, to which was referred,  
No. 42, A.,

A bill to organize the thirteenth judicial circuit, and to change the limits of the sixth and eighth judicial circuits.

Have had the same under consideration and instructed me to report it back with amendments and the recommendation that it pass when so amended. Senator Potter dissenting.

H. D. BARRON,  
*Chairman.*

The Committee on Enrolled Bills have examined and find correctly enrolled the following bills:

No. 129, S.,

An act to provide compensation for indexing and completing the transcribing of the journals of the Senate and Assembly.

No. 128, S.,

An act to authorize the Lake Avenue Company to convey its franchises and property.

No. 172, S.,

An act to amend chapter 343, of the laws of 1875, entitled, an act to amend chapter 127, of the laws of 1874, entitled, "an act to incorporate the city of Menasha."

No. 63, S.,

An act to provide for the corporation of fire departments in unincorporated villages.

No. 106, S.,

An act to permanently provide for deficiencies in the University fund income.

No. 64, S.,

An act to appropriate a sum of money therein named to the Institution for the Education of the Blind, for the purpose of paying indebtedness incurred in furnishing the wing of said building with furniture and fixtures.

No. 247, S.,

An act to reconstruct the eleventh judicial circuit, and fix the time for holding the terms thereof.

No. 216, S.,

An act relating to the city of Portage, and codifying, consolidating, and amending the act of incorporation, and all acts amendatory thereof.

No. 109, S.,

An act in relation to the organization of towns.

No. 35, S.,

An act to amend chapter 274, of the private and local laws of 1869, entitled, an act to incorporate the city of Grand Rapids.

R. J. FLINT,  
*Chairman.*

## REPORTS OF SELECT COMMITTEES.

The select committee, consisting of Senators Hudd, Schutte, Baker, and Farr, to whom was referred,

No. 224, S.,

A bill for the protection of fish in Lake Michigan, and to preserve the purity of the waters of the streams centering therein.

Report the same back, and recommend its reference to Senator Bryant, as a select committee of one.

T. R. HUDD,  
*Chairman.*

So ordered.

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The committee, consisting of the Senator from the 23d, to whom was referred,

No. 276, S.,

Respectfully ask to report the same back with a substitute, and asks for the passage of the substitute.

W. W. REED,  
*Committee.*

The bill was re-committed to the Committee on Claims, and the substitute was ordered printed.

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The select committee, to which was referred,

No. 290, A.,

A bill to regulate the practice of pharmacy and the sale of poisons, and to prevent adulterations of drugs and medicinal preparations in the city of Milwaukee.

Have had the same under consideration, and report it back, concurrence recommended.

JNO. L. MITCHELL,  
W. H. JACOBS,  
*Committee.*

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## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has amended, and concurred in as amended,

No. 100, S.,

A bill to amend section 1, chapter 192, private and local laws of 1868, entitled, "an act to amend section 1, chapter 340, private and local laws of 1867, entitled, 'an act to incorporate the Taylor Orphan Asylum.'"

M. C. No. 3, S.,  
Memorial to Congress requesting an investigation to be made into the right of George W. Cate, to occupy a seat as member of Congress for the 8th district of Wisconsin.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof :

MR. PRESIDENT:—I am directed to inform you that the Assembly has concurred in,  
No. 288, S.,

A bill to amend chapter 74, laws of 1876, entitled, "an act to codify, consolidate, and amend the act to incorporate the city of Appleton, and the several acts amendatory thereof."

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#### ASSEMBLY MESSAGE CONSIDERED.

The amendments to,  
Nos. 106, S., 150, S., and 100 S.,  
Were concurred in.

The amendments to,  
M. C. No. 3, S.,

Were concurred in by the following vote:

Ayes—Senators Barden, Barron, Blair, Campbell, H. N. Davis, Douglas, Downs, Flint, Hathaway, Hiner, Nevins, Rounds, Schuette, Scott, Tate, Treat, and Welch—17.

Nays—Senators Barney, Cavanagh, R. E. Davis, Eastman, Hudd, McFarland, Mitchell, Reed, and Silverthorn—9.

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#### SENATE RESOLUTIONS CONSIDERED.

Jt. Res. No. 23, S.,  
Relating to the location of the State Prison, and a hospital for the incurable insane.

Introduced on Thursday by Senator H. N. Davis.

On motion of Senator Barron,

The resolution was referred to the Committee on Claims.

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#### ASSEMBLY BILLS READY FOR A THIRD READING.

No. 203, A.,

A bill to provide for the manner of electing assessors in the city of Neenah.

No. 210, A.,

A bill to amend chapter 63, of the local laws of 1855, entitled, "an act to change the name of Milwaukee Female College."

No. 215, A.,

A bill to amend section 3, of chapter 68, of private and local laws of 1868, entitled, an act to incorporate the Germania, of Milwaukee.

No. 286, A.,

A bill to authorize George H. Breckner, his associates, and his or their heirs and assigns to build and maintain a dam across the Sheboygan River, in the State of Wisconsin.

No. 334, A.,

A bill to amend chapter 198, of the general laws of 1873, entitled, an act to provide for the collection of the taxes therein named, in certain cases.

No. 390, A.,

A bill to repeal section 2, of chapter 215, of the private and local laws of 1870, an act to amend section 2, chapter 278, of the private and local laws of 1854, entitled, an act to incorporate the Germantown Farmers' Mutual Insurance Company, and all acts amendatory of said section.

No. 395, A.,

A bill to amend section 1, of chapter 136, of the laws of 1873, entitled, "an act amending section 1, of chapter 95, of the general laws of 1871, 'an act to regulate the keeping of slaughter-houses in this State.'"

Were severally read a third time and concurred in.

No. 413, A.,

A bill to appropriate to Taylor S. Hayhurst a sum of money therein named.

No. 414, A.,

A bill to appropriate to Patrick Griffin a sum of money therein named.

No. 415, A.,

A bill to appropriate to Ansley Gray a sum of money therein named.

Were made the special order for 10:30, a. m., on Tuesday, the 7th inst.

No. 44, A.,

A bill to revise the charter of the city of Chippewa Falls.

Was referred to a select committee, consisting of Senator Flint.

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#### SENATE BILLS READY FOR A THIRD READING.

No. 112, S.,

A bill to authorize the county of Burnett to build and maintain free bridge across the St. Croix River, in town 38, north of range 35.

No. 287, S.,

A bill to amend section 3, of chapter 292, of the laws of Wisconsin, of 1873, entitled, "an act to provide for a complete geological survey of Wisconsin, and to repeal chapter 137, of the general laws of 1870, entitled, an act to provide for the survey of the lead district, making maps and collecting statistics from the same, and chapter 136, of the general laws of 1872, amendatory thereof.

No. 26, S.,

A bill to amend chapter 111, of the revised statutes, entitled, of divorce.

Were read a third time and passed.

No. 144, S.,

A bill to legalize the salaries of, and allowance to, the county officers of Burnett county.

Was read a third time and passed,

And the title amended so as to read as follows:

A bill to adjust and settle the salaries of and allowances to certain county officers of Burnett county.

No. 212, S.,

A bill to legalize the salaries of the register of deeds and district attorney of Barron county.

Was read a third time and passed.

And the title amended so as to read as follows:

A bill to legalize the salary of the register of deeds of the county of Barron.

No. 281, S.,

A bill to enable certain towns in the county of Polk, to settle their present indebtedness.

Was read a third time and passed.

And the title amended so as to read as follows:

A bill to enable the boards of supervisors of the towns of Loraine and Milltown, in the county of Polk, to issue bonds to settle their present indebtedness.

No. 157, S.,

A bill to appropriate a sum of money for the purchase of books for the State library.

Was read a third time and passed by the following vote:

Ayes—Senators Barney, Blair, Campbell, H. N. Davis, R. E. Davis, Downs, Eastman, Flint, Hiner, Hudd, McFarland, Mitchell, Nevins, Rounds, Schuette, Scott, and Silverthorn—17.

Nays—Senators Barden, Barron, Cavanagh, Farr, Hathaway, Tate, Treat, and Welch—8.

No. 130, S.,

A bill to authorize the Secretary of State to order the binding of the report of the State Board of Charities and Reform.

Was read a third time and passed by the following vote:

Ayes—Senators Barden, Barney, Blair, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Flint, Hathaway, Hiner, Hudd, McFarland, Mitchell, Nevins, Reed, Rounds, Schuette, Scott, Silverthorn, Tate, and Treat—24.

Nays—Senators Barron and Welch—2.

## SENATE BILLS ON THEIR ENGROSSMENT.

The amendments to,

No. 181, S.,

A bill in relation to the inspection of lumber, in the tenth lumber district.

Were adopted,

And the bill was ordered engrossed for a third reading.

No. 293, S.,

A bill to amend section 76, of chapter 7, of the revised statutes, entitled, of general and special elections, and the manner of conducting the same, and the canvass.

Was ordered engrossed for a third reading.

No. 55, S.,

A bill to amend section 52, of chapter 188, of the general laws of 1872, entitled, an act for the incorporation of villages.

No. 71, S.,

A bill to provide for the enlargement of the Wisconsin State Hospital for the Insane.

Were indefinitely postponed.

The amendments to,

No. 203, S.,

A bill to amend section 3, of chapter 299, of the private and local laws of 1870, entitled, "an act to define certain rights and duties of the Beef Slough Manufacturing, Booming, Log-Driving, and Transportation Company."

Were adopted,

And the bill was referred to a select committee consisting of Senator Flint.

No. 91, S.,

A bill to appropriate a sum of money to the St. Nazian Society, of Manitowoc.

Was referred to the Committee on Claims.

No. 115, S.,

A bill to establish the salaries of State officers.

Was recommitted to the Committee on State Affairs.

No. 257, S.,

A bill in relation to the boundaries of the town of Baldwin, in St. Croix county.

Was referred to a special committee consisting of Senators Jacobs and Mitchell.

No. 201, S.,

A bill relating to hawkers and peddlers, and amendatory of chapter 72, laws of 1870.

Was recommitted to the Committee on Judiciary.

The amendments to,

No. 176, S.,

A bill to provide for the incorporation of associations or companies for lumbering or logging purposes.

Were adopted.

On motion of Senator H. N. Davis,  
The rules were suspended.  
And the bill was read a third time and passed.

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### ASSEMBLY BILLS ON THEIR THIRD READING.

No. 54, A.,

A bill to amend section 18, of chapter 165, of the revised statutes of the State of Wisconsin, entitled, of offenses against property.

No. 138, A.,

A bill to amend chapter 170, general laws 1863, entitled, "an act to amend section 23, of chapter 13, of the revised statutes, entitled, of counties and county officers."

No. 149, A.,

A bill to provide for the repair and maintenance, by the city of Green Bay, of a certain bridge belonging to said city between said city and the second ward of the city of Fort Howard, and to authorize the levy of a tax for that purpose upon the property in the second ward of the city of Fort Howard.

No. 152, A.,

A bill to authorize the board of supervisors of Chippewa county, to fix the salary of county superintendent of schools.

No. 154, A.,

A bill to legalize certain illegalities in certificates of tax-sales.

No. 170, A.,

A bill to amend chapter 119, of the general laws of 1875, entitled, an act to prevent gambling on railroad cars.

No. 182, A.,

A bill to amend chapter 18, of general laws of 1871, entitled, an act to provide for holding normal institutes in the State of Wisconsin, and to appropriate a certain sum of money for the purposes therein named.

No. 187, A.,

A bill to amend chapter 264. of the general laws of 1860, entitled, "an act to amend chapter 139, of the general statutes, entitled 'of appeals, writs of error, and proceedings thereon.'"

No. 207, A.,

A bill authorizing the county board of supervisors of Grant county to levy a tax on the town of Hickory Grove, in said county, to correct errors in tax levy of 1872.

No. 208, A.,

A bill to amend an act entitled, an act to further provide for the publication of the decisions of the Supreme Court, approved March 17, 1870.

No. 212, A.,

A bill to amend chapter 76, of the private and local laws of 1871, entitled, "an act to amend chapter 93, of the private and local laws of 1867, entitled, 'an act to authorize the counties and towns through



which the Green Bay and Lake Pepin Railroad passes, to aid in its construction.' "

No. 213, A.,

A bill to amend section 8, of chapter 15, of the revised statutes, entitled, "of town and town officers, powers and duties of towns."

No. 218, A.,

A bill to legalize the acts of United States Court Commissioners for the eastern district of Wisconsin, in certain cases.

No. 221, A.,

A bill to repeal chapter 249, laws of 1875, entitled, an act to provide for the letting of county printing, of the county of Milwaukee.

No. 237, A.,

A bill to amend chapter 85, of general laws of 1866, entitled, an act relating to the vacation of town, city, or village plats, or any part thereof.

No. 238, A.,

A bill to amend sections 138 and 139, of chapter 152, general laws of 1869, entitled, an act to codify the laws of this State, relating to highways and bridges.

No. 248, A.,

A bill to amend section 2, chapter 9, of general laws of 1872, in relation to special terms of court for Door county.

No. 253, A.,

A bill authorizing the city of Watertown, by its board of street commissioners to purchase a steam fire-engine, and necessary equipments, at an expense of not more than eight thousand dollars.

No. 266, A.,

A bill to amend section 16, of chapter 3, of chapter 474, of the private and local laws of 1866, relating to the appointment of a justice of the peace as police justice in certain cases.

No. 287, A.,

A bill to legalize the formation of the Amherst Cemetery Association.

No. 290, A.,

A bill to regulate the practice of pharmacy and the sale of poisons, to prevent the adulteration of drugs and medicinal preparations in the city of Milwaukee.

No. 306, A.,

A bill to amend section 6, of chapter 87, of the laws of 1873, entitled, "an act granting to Albert Taylor, to establish and maintain a ferry across the Mississippi River from some point above the limits of the village of Alma, in Buffalo county, and the mouth of the Chippewa River, in Buffalo county, to the opposite shore in the State of Minnesota."

No. 309, A.,

A bill to authorize the Commissioners of School and University Lands to loan a portion of the trust funds of the State to the county of Clark.

No. 328, A.,

A bill to authorize the city of Racine to transfer moneys, and to levy a tax to cover deficiencies in certain city funds.

No. 345, A.,

A bill to authorize the city of Janesville to build a school-house in the fifth ward, and to issue bonds of said city therefor.

No. 348, A.,

A bill to amend the charter of the city of Oconto.

No. 349, A.,

A bill to amend chapter 93, of the laws of 1873, entitled, an act to amend chapter 449, of the private and local laws of 1860, entitled, an act to incorporate the city of Oconto.

No. 370, A.,

A bill in relation to evidence in suits on official bonds and to recover public funds.

Were severally ordered to a third reading.

No. 235, A.,

A bill in relation to the publication of legal notices.

Was referred to the Committee on Judiciary.

No. 282, A.,

A bill to amend section 3, chapter 15, of the revised statutes, entitled, "of towns and town officers."

Was indefinitely postponed.

No. 368, A.,

A bill relating to petit juries in Marquette county.

Was referred to a select committee, consisting of Senator Potter.

No. 391, A.,

A bill to amend chapter 254, of the private and local laws of the year 1868, entitled, an act to revise, consolidate, and amend the act to incorporate the city of Sheboygan, and the several acts amendatory thereof, and to repeal chapter 94, of the private and local laws of 1856, entitled, "an act to establish a code of procedure for the police court of the city of Sheboygan, approved March 4, 1856."

Was referred to a select committee, consisting of Senator Eastman.

The amendments to,

No. 201, A.,

A bill prohibiting the paying of damages to persons in Polk county who petition for laying out, discontinuing, or vacating highways.

Were adopted,

And the bill was ordered to a third reading.

The amendments to,

No. 42, A.,

A bill to organize the thirteenth judicial circuit, and to change the limits of the sixth and eighth judicial circuits.

Were adopted.

On motion of Senator Silverthorn,

The bill was made the special order for Tuesday, and to remain so until disposed of.

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On motion of Senator Potter,  
The Senate adjourned.

MONDAY, MARCH 6, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

Prayer by Rev. Dr. Wilkinson.

The roll was called and the following Senators answered to their names:

Senators Barney, Barron, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hudd, McFarland, Mitchell, Nevins, Potter, Schuette, Scott, Silverthorn, Tate, Treat, and Welch.

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#### LEAVES OF ABSENCE.

Leave of absence was granted,

To Senator Cavanagh, until Wednesday next.

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Senator R. E. Davis moved that when the Senate adjourn it be until 7:30, this evening.

The motion prevailed.

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On motion of Senator Barron,

The title to,

No. 176, S.,

A bill to provide for the incorporation of associations or companies for lumbering or logging purposes.

Which was passed on the 4th inst.,

Was amended so as to read as follows:

A bill to facilitate the driving of logs down the rivers of this State and their tributaries.

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## RESOLUTIONS INTRODUCED.

By Senator Potter:

Res. No. 49, S.,

Instructing standing committees to report all bills, resolutions, and memorials, on or before the 9th inst.

*Resolved*, That the several standing committees of this body are hereby instructed to report all bills, resolutions, and memorials in their hands, on or before Thursday the 9th instant, for the consideration of the Senate.

On motion of Senator Potter,

The rules were suspended, and the resolution was adopted.

By Senator Bryant:

Jt. Res. No. 24, S.,

Authorizing the State geologist to furnish the Board of Centennial Managers maps, specimens, &c.

*Resolved by the Senate, the Assembly concurring*, That the State geologist, Prof. T. C. Chamberlin, be and he is hereby authorized and requested to furnish the State Board of Centennial Managers for exhibition at the Centennial exposition, any maps, specimens of minerals, or collections of any kind in his possession, belonging to the State, which the said board may desire; the same to be returned to him at the close of the Centennial exhibition, or previous to that time, should any of them be required for the geological report; *and provided*, that this shall in no way interfere with the progress of the survey.

On motion of Senator Bryant,

The rules were suspended, and the resolution was adopted.

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REPORTS OF COMMITTEES.

The Committee on Engrossed Bills have examined the following named bills, and find them correctly engrossed:

No. 181, S.,

A bill in relation to the inspection of lumber in the 10th lumber district.

No. 293, S.,

A bill to amend section 76, of chapter 7, of the revised statutes, entitled, "of general and special elections, and the manner of conducting the same and the canvass."

D. E. WELCH,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,

Jt. Res. No. 8, A.,

Resolution to amend sections 4, 5, 11, and 21, of article 4, of the constitution of the State of Wisconsin.

Has had the same under consideration, and instructed me to report it back with the recommendation that it be indefinitely postponed.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,  
Jt. Res. No. 11, S.,

Joint resolution to amend the constitution of the State of Wisconsin.

Has had the same under consideration and instructed me to report it back with the recommendation that it be indefinitely postponed. Senator Potter dissenting.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary, to which were referred,  
No. 305, A.,

A bill for the protection of life and property in the State of Wisconsin.

No. 215, S.,

A bill to codify and consolidate all laws in relation to town insurance companies.

With pending amendments.

Has had the same under consideration, and instructed me to report them back, with amendment to No. 305, A., and the recommendation that it be concurred in when so amended, and with further amendment to No. 215, S., with the recommendation that the pending amendment be adopted when amended as here recommended, and that No. 215, S., then do pass.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary, to which were referred,  
No. 198, A.,

A bill to revive and restore chapter 188, of the general laws of 1874, entitled, an act to provide for the incorporation of villages as it was originally enacted, to restore certain laws relating to the same, and to legalize the assessment, levy, and collection of taxes in villages incorporated under said act.

No. 398, A.,

A bill to amend section 14, of chapter 130, of the general laws of 1868, entitled, an act to provide for the assessment of property for taxation, and the levy of taxes thereon.

Has had the same under consideration and instructed me to report the same back with the recommendation that they be concurred in.

And recommend that,

No. 211, A.,

A bill to repeal chapter 43, of the general laws of 1875, entitled, "an act to amend section 65, of chapter 18, of the revised statutes, entitled, 'of assessment and collection of taxes.'"

Be indefinitely postponed.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,

No. 272, S.,

A bill relating to two or more election districts in one town, and amendatory of chapter 444, of general laws of 1864.

No. 213, S.,

A bill in relation to chattel mortgages.

Has had the same under consideration and instructed me to report them back, with certain amendments, and to recommend that when so amended they pass.

H. D. BARRON,  
*Chairman.*

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No. 213, S.,

Was referred to a select committee, consisting of Senator Hudd.

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The Committee on the Judiciary, to which were referred,

Jt. Res. No. 16, S.,

To amend section 4, of article 7, of the constitution of the State of Wisconsin, providing for the enlargement of the Supreme Court to five judges.

Has had the same under consideration, and instructed me to report it back with amendment, and the recommendation that when thus amended it pass.

Jt. Res. No. 14, S.,

Proposing an amendment to section 2, of article 8, of the constitution of this State.

Has had the same under consideration, and instructed me to report it back with the recommendation that it be indefinitely postponed.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,

Jt. Res. No. 27, S.,

Relating to the adjournment of the legislature.

Has had the same under consideration, and instructed me to report it back with amendment, and the recommendation that when so amended it pass.

H. D. BARRON,  
*Chairman.*

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The Joint Committee on Printing, to whom was referred,  
No. 206, S.,

A bill relating to public printing.

Has had the same under consideration, and instructed me to report the same back by substitute, and recommend the passage of the substitute.

R. J. FLINT,  
*Chairman.*

The amendments were adopted; and,

On motion of Senator Flint,

The rules were suspended, the bill was read a third time and passed, and title amended to read as follows:

A bill to amend section 38, and section 57, chapter 243, laws of 1874, entitled, an act relating to public printing.

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The Committee on Enrolled Bills have examined and find correctly enrolled the following bills:

No. 180, S.,

An act to amend section 2, of title 3, of chapter 253, of the private and local laws 1868, entitled, an act to revise and amend chapter 176, of the private and local laws of 1857, entitled, an act to amend an act, entitled, an act to incorporate the city of Beloit.

No. 241, S.,

An act to authorize and empower the School Land Commissioners to extend the time for payment of balance of principal on loan to school district No. 2, town of Richland, county of Richland, and State of Wisconsin.

No. 23, S.,

An act to amend chapter 289, of the general laws of 1873, entitled, "an act to amend chapter 182, of the general laws of 1872, entitled, 'an act to authorize municipal corporations to aid in the construction of railroads.'"

No. 50, S.,

An act to amend chapter 208, laws of 1875, entitled, an act in relation to the Wisconsin Railroad Farm-Mortgage Land Company.

No. 133, S.,

An act to amend section 3, of chapter 79, of the revised statutes of 1858, entitled, "of railroads."

No. 68, S.,

An act to amend section 1, of chapter 323, laws of 1875, relating to free high schools.

No. 231, S.,

An act to amend chapter 109, of the general laws of 1874, entitled, an act to provide for the proper safe keeping of the report of the geological survey.

Jt. Res. No. 19, S.,

Requesting the Governor to invite the Governors of other States to unite in celebrating the completion of the Fox and Wisconsin River Canal.

No. 139, S.,

An act to appropriate to P. R. Tierney a sum of money therein named.

No. 61, S.,

An act to provide for the purchase of 300 copies of Webster's Unabridged Dictionary.

No. 243, S.,

An act to cure all defects and irregularities in the proceedings relative to the reorganization into a joint stock company, by the Waukesha County Agricultural Society.

No. 283, S.,

An act declaring certain waters of the Kinnikinnick River, in the town of Lake, Milwaukee county, to be navigable waters.

No. 282, S.,

An act in relation to the State library.

No. 199, S.,

An act to amend chapter 228, of the laws of 1875, entitled, "an act to amend chapter 275, of the private and local laws of 1870, entitled, 'an act to incorporate the city of Manitowoc.' "

No. 89, S.,

An act to provide for acquiring title to certain pieces of land within the grounds of the Wisconsin State Hospital for the Insane.

No. 149, S.,

An act relating to the preparation, publication, and distribution of the final report of the geological survey, and to appropriate a sum of money therein named.

R. J. FLINT,

*Chairman.*

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### REPORTS OF SELECT COMMITTEES.

The select committee, to whom was referred,

No. 368, A.,

A bill relating to petit juries in Marquette county,

Has had the same under consideration, and reports the same back with an amendment, and recommend that it be concurred in when so amended.

R. L. D. POTTER,

*Chairman.*

On motion of Senator Potter,

The rules were suspended, the amendments were adopted, and the bill was read a third time and concurred in.

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The select committee, to whom was referred,

No. 49, S.,

A bill relating to registration of electors and amendatory of section 1, of chapter 232, of the general laws of 1875.



Report the same back with amendment, and recommend its passage when so amended.

D. E. WELCH,  
*Chairman.*

The amendment was adopted, and the bill was read a third time and passed.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk, thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 232, A.,

A bill authorizing the Governor to appoint commissioners to investigate the claim of Nelson McNeal against the State, and to report thereon to the next legislature.

No. 236, A.,

A bill to amend chapter 184, of the laws of 1874, entitled, "an act to revise, consolidate and amend the charter of the city of Milwaukee, and the several acts amendatory thereof."

No. 359, A.,

A bill to provide for the better protection of bridges in certain cases.

No. 159, A.,

A bill legalizing the action of the county board of supervisors of Dunn county, fixing the salary of the district attorney.

No. 262, A.,

A bill to legalize the official acts of F. A. Brown, a notary public of Columbia county.

No. 405, A.,

A bill to amend section 19, chapter 67, of the revised statutes, entitled, of cemetery associations and town cemeteries.

No. 376, A.,

A bill to appropriate to L. S. Dixon a sum of money therein named.

No. 278, A.,

A bill to amend section 3, of chapter 187, of the revised statutes of the State of Wisconsin, entitled, of prisons generally, and common jails.

No. 222, A.,

A bill to provide for the support of the poor of Milwaukee county.

No. 365, A.,

A bill to provide for the protection of the lands granted by Congress to the State, to aid in the construction of the Sturgeon Bay and Lake Michigan Ship-Canal and Harbor; to provide for the custody and disbursement of the funds arising from the sale of or trespass on said lands, or otherwise proceeding from or out of the same;

and to repeal, revive, and amend certain acts therein mentioned, relating to said lands and funds, and to the Sturgeon Bay and Lake Michigan Ship-Canal and Harbor Company.

No. 364, A.,

A bill to authorize the Commissioners of School and University Lands to appoint a commission to inquire into the transactions of the Sturgeon Bay and Lake Michigan Ship-Canal and Harbor Company, and make report of the same.

No. 321, A.,

A bill providing for the sale of canal lands to actual settlers, for farming purposes, and to secure titles thereto.

No. 129, A.,

A bill to amend section 5, chapter 404, private and local laws of 1869, entitled, an act to amend chapter 267, of the private and local laws of 1858, entitled, an act to incorporate the city of Stevens Point.

No. 294, A.,

A bill to authorize joint school district number 1, of the towns of Wonewoc and Woodland, in the counties of Juneau and Sauk, to borrow money.

No. 317, A.,

A bill to amend and combine sections 19 and 13, of chapter 28, of the revised statutes of 1858, entitled, of school and other lands.

No. 393, A.,

A bill to amend section 1, of chapter 102, general laws 1868, relating to tree belts.

No. 230, A.,

A bill to legalize the acts of the commissioners appointed by chapter 104, of the laws of 1874, entitled, "an act to lay out and establish a State road from the village of Woodstock, Richland county, Wisconsin *via* the village of Debello, Vernon county, Wisconsin, to Wonewoc, Juneau county, Wisconsin."

No. 260, A.,

A bill to amend section 8, article 3, chapter 222, general laws of 1874, in relation to the charter of Wausau.

No. 379, A.,

A bill to appropriate a sum of money sufficient to pay for printing the school-laws, and for binding 200 copies of the same.

No. 243, A.,

A bill to remit to the county of Douglas a portion of the State tax levied upon the county for the year 1875.

No. 327, A.,

A bill to appropriate to George Graham a sum of money.

No. 216, A.,

A bill relating to Hospital for the Insane.

No. 183, A.,

A bill to appropriate to James Quirk the sum of money therein named.

And has concurred with the Senate in the passage of,

No. 113, S.,

A bill to amend chapter 303, of the laws of Wisconsin for 1874,

entitled, "an act to facilitate the execution of trusts in certain cases."

No. 117, S.,

A bill in relation to new trials in civil and criminal actions.

No. 123, S.,

A bill to amend section 6, of chapter 134, entitled, of executions and proceedings supplementary thereto.

No. 164, S.,

A bill relating to actions for the foreclosure of mortgages.

No. 143, S.,

A bill to amend chapter 176, of the revised statutes, entitled, of arrests.

No. 147, S.,

A bill to allow sheriffs and constables to receive necessary and actual disbursements in certain cases.

No. 158, S.,

A bill to establish a municipal court in the city of Wausau.

No. 175, S.,

A bill to legalize certain tax-sales in the county of Chippewa.

No. 200, S.,

A bill relating to the redemption of lands sold under decree of foreclosure, and amendatory of section 2, of chapter 195, of laws of 1859.

No. 267, S.,

A bill relating to actions on undertakings given on appeals to the Supreme Court.

No. 290, S.,

A bill to repeal chapter 147, of the private and local laws of 1871, and all acts amendatory thereof, relating to the taking of fish in Pike Lake, Washington county, Wisconsin.

No. 192, S.,

A bill to authorize the city of La Crosse to build and maintain a bridge across the Mississippi River.

No. 223, S.,

A bill to amend chapter 45, of the general laws of 1871, entitled, an act to amend section 1, of chapter 53, of the general laws of 1858, entitled, an act for the formation and protection of county agricultural societies.

No. 260, S.,

A bill to amend section 3, chapter 3, of the general laws of 1871, entitled, "an act to fix the time of holding court in 11th judicial circuit, and to provide for the appointment of special terms of court, and to dispense with grand and petit juries at certain terms."

No. 72, S.,

A bill to amend chapter 152, of the general laws of 1872, entitled, "an act to authorize the county board of supervisors in the several counties of this State to levy a special tax for county board purposes."

No. 90, S.,

A bill to authorize incorporated villages to lay out, open, change, extend, and widen public squares, grounds, highways, streets, and alleys.

No. 94, S.,

A bill to appropriate a certain sum to the State Historical Society.

No. 151, S.,

A bill to repeal section 15, of chapter 533, of the general laws of 1865, entitled, "an act to accept the grant of lands made to the State of Wisconsin, by act of Congress, approved June 25, 1864, to aid the construction of a military road from Wausau, Marathon county, to Lake Superior," and to amend section 10, of said chapter 533, by appropriating a sum of money therein named.

No. 239, S.,

A bill to amend section 2, chapter 120, general laws of 1862, in relation to county surveyors.

And has amended, and concurred in as amended,

No. 69, S.,

A bill in relation to the pontoon-bridge across the Mississippi River at Prairie du Chien.

No. 56, S.,

A bill authorizing counties, cities, villages, and towns to make appropriations for celebrating the Centennial year of the nation's existence.

And has adopted, and asks the concurrence of the Senate in,

Jt. Res. No. 22, A.,

Relating to sending Wisconsin's veteran hero, "Old Abe," to the Centennial, at Philadelphia.

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#### ASSEMBLY MESSAGE CONSIDERED.

No. 232, A.,

Was referred to the Committee on State Affairs.

No. 359, A.,

Was referred to the Committee on Roads, Bridges, and Ferries.

Nos. 159 and 262, A.,

Were referred the Committee on Judiciary.

Nos. 129 and 405, A.,

Were referred to the Committee on Incorporations.

Nos. 216 and 278, A.,

Were referred to the Committee on Charitable and Penal Institutions.

Nos. 183, 327, and 376, A.,

Were placed in the general file.

Nos. 294 and 379, A.,

Were referred to the Committee on Education.

No. 317, A.,

Was referred to the Committee on Public Lands.

No. 393, A.,

Was referred to the Committee on Agriculture.

No. 243, A.,

Was referred to the Committee on Claims.

Nos. 365, 321, and 364, A.,

Were referred to a select committee, consisting of Senator Hudd.

No. 222, A.,

Was referred to a select committee, consisting of Senators Jacobs and Mitchell.

No. 230, A.,

Was referred to a select committee, consisting of Senators Downs, Welch, and Tate.

No. 260, A.,

Was referred to a select committee, consisting of Senator Silverthorn.

On motion of Senator Mitchell,

The rules were suspended, and

No. 236, A.,

Was concurred in.

The amendments to,

No. 69, S.,

Were concurred in.

The Senate refused to concur in the amendments to,

No. 56, S.

And, on motion of Senator Flint,

A committee of conference was requested of the Assembly, on the disagreeing votes on said bill.

And the President appointed Senators Flint, Barney, and Bryant as managers on the part of the Senate.

Jt. Res. No. 23, A.,

Was concurred in.

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#### ASSEMBLY BILLS READY FOR A THIRD READING.

No. 54, A.,

A bill to amend section 18, of chapter 165, of the revised statutes of the State of Wisconsin, entitled, "of offenses against property."

No. 138, A.,

A bill to amend chapter 170, of the general laws of 1868, entitled, an act to amend section 28, of chapter 13, of the revised statutes, entitled, "of counties and county officers."

No. 149, A.,

A bill to provide for the repair and maintenance by the city of Green Bay, of a certain bridge belonging to said city, between said city and the second ward of the city of Fort Howard, and to authorize the levy of a tax for that purpose upon the property in the second ward of the city of Fort Howard.

No. 152, A.,

A bill to authorize the board of supervisors of Chippewa county to fix the salary of county superintendent of schools.

No. 154, A.,

A bill to legalize certain illegalities in certificates of tax-sales.

No. 170, A.,

A bill to amend chapter 119, of the general laws of 1875, entitled, "an act to prevent gambling on railroad cars."

No. 182, A.,

A bill to amend chapter 18, of general laws of 1871, entitled, an act to provide for holding normal institutes in the State of Wisconsin, and to appropriate a certain sum of money for the purposes therein named.

No. 187, A.,

A bill to amend chapter 264, of the general laws of 1860, entitled, "an act to amend chapter 139, of the general statutes, entitled, 'of appeals, writs of error, and proceedings thereon.'"

No. 207, A.,

A bill authorizing the county board of supervisors, of Grant county, to levy tax on the town of Hickory Grove, in said county, to correct errors in tax levy of 1872.

No. 208, A.,

A bill to amend an act, entitled, "an act to further provide for the publication of the decisions of the Supreme Court, approved March 17, 1870."

No. 212, A.,

A bill to amend chapter 76, of the private and local laws of 1871, entitled, "an act to amend chapter 98, of the private and local laws of 1867, entitled, 'an act to authorize the counties and towns through which the Green Bay and Lake Pepin Railroad passes, to aid in its construction.'"

No. 213, A.,

A bill to amend section 8, of chapter 15, of the revised statutes, entitled, of towns and town officers, powers and duties of towns.

No. 218, A.,

A bill to legalize the acts of United States Court Commissioners for the eastern district of Wisconsin in certain cases.

No. 221, A.,

A bill repealing chapter 249, laws of 1875, entitled, an act to provide for the letting of the county printing for the county of Milwaukee.

No. 237, A.,

A bill to amend chapter 85, of the general laws of 1866, entitled, "an act relating to the vacation of town, city, or village plats, or any part thereof."

No. 238, A.,

A bill to amend sections 138 and 139, of chapter 152, general laws of 1869, entitled, an act to codify the laws of this State relating to highways and bridges.

No. 248, A.,

A bill to amend section 2, chapter 9, general laws 1872, in relation to special terms of court for Door county.

No. 253, A.,

A bill to authorize the city of Watertown, by its board of street commissioners, to purchase a steam fire engine and necessary equipments, at an expense of not more than eight thousand dollars.

No. 266, A.,

A bill to amend section 16, chapter 3, of chapter 474, of the private and local laws of 1866, relating to the appointment of a justice of the peace as police justice in certain cases.

No. 287, A.,

A bill to legalize the formation of the "Amherst Cemetery Association."

No. 290, A.,

A bill to regulate the practice of pharmacy and the sale of poisons, to prevent the adulteration of drugs and medicinal preparations in the city of Milwaukee.

No. 306, A.,

A bill to amend section 6, of chapter 87, of the laws of 1873, entitled, "an act granting to Albert Taylor, the right to establish and maintain a ferry across the Mississippi River, from some point above the limits of the village of Alma, in Buffalo county, and the mouth of the Chippewa River, in Buffalo county, to the opposite shore in the State of Minnesota.

No. 309, A.,

A bill to authorize the Commissioners of School and University Lands to loan a portion of the trust funds of the State to the county of Clark.

No. 328, A.,

A bill to authorize the city of Racine to transfer money, and to levy a tax to cover deficiencies in certain city funds.

No. 345, A.,

A bill to authorize the city of Janesville to build a school-house in the fifth ward, and to issue bonds of said city therefor.

No. 348, A.,

A bill to amend the charter of the city of Oconto.

No. 349, A.,

A bill to amend chapter 93, of the laws of 1873, entitled, an act to amend chapter 449, of the private and local laws of 1860, entitled, an act to incorporate the city of Oconto.

No. 370, A.,

A bill in relation to evidence in suits on official bonds, and to recover public funds.

No. 201, A.,

A bill prohibiting the paying of damages to persons in Polk county who petition for laying out, discontinuing, or vacating highways.

Were severally read a third time and concurred in.

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#### SENATE BILLS ON THEIR THIRD READING.

No. 293, S.,

A bill to amend section 76, of chapter 7, of the revised statutes, entitled, of general and special elections, and the manner of conducting the same, and the canvass.

Was read a third time and passed.

No. 181, S.,

A bill in relation to the inspection of lumber in the 10th lumber district.

Was read a third time and passed,

And the title amended so as to read as follows:

A bill to enable the town of Jenny, in Lincoln county, to improve the navigation of the Wisconsin River, in said town.

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### SENATE BILLS ON THEIR ENGROSSMENT.

No. 273, S.,

A bill for the construction of a dam on Otter Creek, township 40, range 18 east, in Oconto county, Wisconsin, and to maintain the same for manufacturing purposes.

Was ordered engrossed for a third reading.

The amendments to,

No. 209, S.,

A bill providing for struck juries,

Were adopted.

And the bill was ordered engrossed for a third reading.

The amendments to,

No. 272, S.,

A bill relating to two or more election districts in one town, and amendatory of chapter 444, general laws of 1864.

Were adopted, and,

On motion of Senator Barron,

The rules were suspended and the bill was read a third time and passed,

And the title amended so as to read as follows:

A bill to amend chapter 444, of the general laws of 1864, and section 1, of chapter 232, of the general laws of 1875.

The amendments to,

No. 215, S.,

A bill to codify and consolidate all laws in relation to town insurance companies.

Were adopted, and,

On motion of Senator R. E. Davis,

The rules were suspended, and the bill was read a third time and passed.

The amendments to,

No. 122, S.,

A bill to extend the time for settlers upon certain land-grant lands to acquire title thereto.

Were adopted.

Senator Farr moved to refer the bill to the Committee on Judiciary.

Which motion was lost by the following vote:

Ayes—Senators Barden, Farr, Tate, Treat, and Welch—6.



Nays—Senators Barney, Barron, Bryant, Campbell, H. N. Davis, Douglas, Downs, Eastman, Hathaway, Hudd, McFarland, and Mitchell—12.

The bill was then ordered engrossed.

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Senator Tate moved to indefinitely postpone,  
No. 65, S.,

A bill to perfect and encourage the organization of State militia, and appropriating money therefor.

Which motion was lost by the following vote :

Ayes—Senators Barron, Bryant, R. E. Davis, Downs, Flint, Hudd, McFarland, Mitchell, Silverthorn, and Tate—10.

Nays—Senators Barden, Barney, Campbell, H. N. Davis, Douglas, Eastman, Farr, Hathaway, Nevins, Potter, Treat, and Welch—12.

Senator Silverthorn moved to refer the bill to the Committee on Claims.

Which motion was lost by the following vote:

Ayes—Senators Barney, Barron, Bryant, Flint, Hudd, McFarland, Mitchell, Silverthorn, and Tate—9.

Nays—Senators Barden, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Hathaway, Nevins, Potter, Treat, and Welch—13.

Senator Tate moved to refer the bill to a select committee consisting of Senators Silverthorn, Tate, and Mitchell.

Which motion was lost by the following vote:

Ayes—Senators Barney, Barron, Bryant, Downs, Flint, Hudd, McFarland, Nevins, Silverthorn, and Tate—10.

Nays—Senators Barden, Campbell, H. N. Davis, R. E. Davis, Douglas, Eastman, Farr, Hathaway, Mitchell, Potter, Treat, and Welch—12.

The Senate then refused to adopt the substitute to the bill by the following vote:

Ayes—Senators Barden, Campbell, H. N. Davis, Douglas, Eastman, Farr, Flint, Hathaway, Potter, Treat, and Welch—11.

Nays—Senators Barney, Barron, Bryant, R. E. Davis, Downs, Hudd, McFarland, Mitchell, Nevins, Silverthorn, and Tate—11.

And the bill was then refused engrossment.

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Senator Tate moved to indefinitely postpone

No. 232, S.,

A bill for the protection of fish in the inland waters of the State.

Which motion was lost by the following vote:

Ayes—Senators Barney, Hudd, Potter, Silverthorn, Tate, and Treat—6.

Nays—Senators Barden, Barron, Bryant, Campbell, H. N. Davis,

R. E. Davis, Douglas, Downs, Farr, Flint, Hathaway, Mitchell, Nevins, and Welch—14.

Said bill with,

No. 246, S.,

A bill to consolidate and amend the game laws of Wisconsin.

Was made the special order for this evening.

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#### ASSEMBLY BILLS ON THEIR THIRD READING.

No. 194, A.,

A bill to provide for the recording of the lands of the Wisconsin Railroad Farm-Mortgage Land Company in the register's office of the several counties in which said lands are situated.

No. 198, A.,

A bill to revive and restore chapter 188, of the general laws of 1872, entitled, "an act to provide for the incorporation of villages," as it was originally enacted; to restore certain laws relating to the same, and to legalize the assessment, levy, and collection of taxes in villages incorporated under said act.

Were ordered to a third reading.

No. 211, A.,

A bill to repeal chapter 43, of general laws of 1875, entitled, an act to amend section 65, of chapter 18, of the revised statutes, entitled, of the assessment and collection of taxes.

Was indefinitely postponed.

The amendments to,

No. 305, A.,

A bill for the protection of life and property in the State of Wisconsin.

Was adopted,

And the bill was ordered to a third reading.

Senator Barron offered the following amendment to:

No. 398, A.,

A bill to amend section 14, chapter 130, general laws of 1868, entitled, an act to provide for the assessment of property for taxation, and the levy of taxes thereon.

Strike out "equalizers," and insert "review."

The amendment was adopted,

And the bill was ordered to a third reading.

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On motion of Senator Potter,

The Senate adjourned.

7½ O'CLOCK P. M.

The Senate met pursuant to adjournment.  
The Lieutenant-Governor presiding.

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Senator Flint moved that the vote by which,  
No. 152, A.,  
A bill to authorize the board of supervisors of Chippewa county  
to fix the salary of county superintendent of schools.  
Was concurred in, be reconsidered. *J. A.*  
Which motion prevailed.  
Senator Flint offered the following amendment to the bill:  
Amend by striking out the words "fifteen hundred" where they  
occur in the first section, and insert in lieu thereof the words "one  
thousand."  
The amendment was adopted.  
And the bill was concurred in as amended.

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#### REPORTS OF COMMITTEES.

The Committee on the Judiciary, to which was referred.  
No. 262, A.,  
A bill to legalize the official acts of F. A. Brown, a notary public  
of Columbia county.  
No. 159, A.,  
A bill legalizing the action of the county board of supervisors of  
Dunn county, fixing the salary of the district attorney.  
No. 235, A.,  
A bill in relation to the publication of legal notices.  
No. 169, A.,  
A bill to secure future advances upon mortgages, and for other  
purposes.  
Has had the same under consideration, and instructed me to re-  
port them back with the recommendation that Nos. 262, A., and  
159, A., be concurred in, that 235, A., be amended by the amend-  
ment hereto submitted, and that 169, A., be indefinitely postponed.  
H. D. BARRON,  
*Chairman.*

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The Committee on Roads, Bridges, and Ferries, to whom was re-  
ferred,  
No. 359, A.,  
A bill to provide for the better protection of bridges, in certain  
cases.  
Have had the same under consideration and report it back, with  
the recommendation that it be concurred in.

No. 168, S.,

A bill to require the building and maintenance of fences along highways.

With the recommendation that it be indefinitely postponed.

JOHN SCHUETTE,  
*Chairman.*

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The Joint Committee on Charitable and Penal Institutions, to which was referred,

No. 278, A.,

A bill to amend section 3, of chapter 187, of the revised statutes of the State of Wisconsin, entitled, of prisons generally, and common jails.

No. 216, A.,

A bill relating to the Hospital for the Insane.

Have had the same under consideration, and have instructed me to report the bills back and recommend concurrence in the same.

H. N. DAVIS,  
*Chairman.*

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The Committee on Enrolled Bills have examined and find correctly enrolled the following bills:

No. 123, S.,

An act to amend section 6, of chapter 134, of the revised statutes, entitled, of executions and proceedings supplementary thereto.

No. 94, S.,

An act to appropriate a certain sum of money to the State Historical Society.

No. 267, S.,

An act relating to actions on undertakings given on appeals to the Supreme Court.

No. 175, S.,

An act to legalize certain tax sales in the county of Chippewa.

No. 164, S.,

An act relating to actions for the foreclosure of mortgages.

No. 117, S.,

An act in relation to new trials in civil and criminal actions.

No. 143, S.,

An act to amend chapter 176, of the revised statutes, entitled, "of arrests."

No. 182, S.,

An act for the organization of corporations for benevolent purposes.

No. 200, S.,

An act relating to the redemption of lands sold under decree of foreclosure, and amendatory of section 2, of chapter 195, laws of 1859.

No. 113, S.,

An act to amend chapter 303, of the laws of Wisconsin of 1874,

entitled, "an act to facilitate the execution of trusts in certain cases."

No. 192, S.,

An act to authorize the city of La Crosse to build and maintain a bridge across the Mississippi River.

No. 185, S.,

An act to authorize the Commissioners of School and University Lands to loan a portion of the trust funds of the State, to the county of Wood.

No. 223, S.,

An act to amend chapter 45, of the general laws of 1871, entitled, an act to amend section 1, of chapter 53, of the general laws of 1854, entitled, an act for the formation and protection of county agricultural societies.

No. 260, S.,

An act to amend section 3, of chapter 3, of the general laws of 1871, entitled, an act to fix the time of holding court in the eleventh judicial circuit, and to provide for the appointment of special terms of court, and to dispense with grand and petit juries at certain terms.

No. 151, S.,

An act to repeal section 15, of chapter 533, of the general laws of 1865, entitled, "an act to accept the grant of lands made to the State of Wisconsin, by an act of Congress, approved June 25, 1864, to aid the construction of a military road from Wausau, Marathon county, to Lake Superior," and to amend section 10, of said chapter 533, by appropriating a sum of money therein named.

No. 158, S.,

An act to establish a municipal court in the city of Wausau.

No. 162, S.,

An act in relation to claims against the State presented to either branch of the legislature.

No. 239, S.,

An act to amend section 2, chapter 120, of the general laws of 1862, in relation to county surveyors.

No. 150, S.,

An act to provide for the better care of pauper and destitute children.

No. 72, S.,

An act to amend chapter 152, of the general laws of 1872, entitled, "an act to authorize the county board of supervisors in the several counties of this State to levy a special tax for county road purposes."

No. 147, S.,

An act to allow sheriffs and constables to receive necessary and actual disbursements in certain cases.

No. 288, S.,

An act to amend chapter 47, laws of 1876, entitled, an act to codify, consolidate, and amend the act to incorporate the city of Appleton, and the several acts amendatory thereof.

No. 100, S.,

An act to amend section 1, of chapter 192, of the private and local laws of 1868, entitled, "an act to amend section 1, of chapter 340, of the private and local laws of 1867, entitled, an act to incorporate the Taylor Orphan Asylum."

R. J. FLINT,  
*Chairman.*

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### REPORTS OF SELECT COMMITTEES.

The undersigned, select committee, to whom was referred,  
No. 260, A.,

A bill to amend section 8, of article 3, of chapter 222, of the general laws of 1874, in relation to the charter of the city of Wausau.

Has had the same under consideration, and begs leave to report the same back, and recommend that the same be concurred in.

W. C. SILVERTHORN,  
*Committee.*

On motion of Senator Silverthorn,  
The rules were suspended, and  
The bill was read a third time and concurred in.

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The select committee, to whom was referred,  
No. 364, A.,

No. 321, A.,

A bill providing for the sale of canal lands to actual settlers, for farming purposes, and to secure titles thereto.

No. 365, A.,

No. 213, S.,

Report the same back and recommend the passage of Nos. 364, 321, and 365, A., and report and recommend the adoption of the amendment reported by the Committee on Judiciary to No. 213, S., and the passage of the same when so amended.

T. R. HUDD,  
*Committee.*

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The select committee, to whom was referred,  
No. 222, A.,

A bill to provide for the support of the poor of Milwaukee county.

Has had the same under consideration, and report it back with concurrence recommended

JNO. L. MITCHELL,  
*Committee.*

## THE SPECIAL ORDER.

No. 232, S.,

A bill for the protection of fish in the inland waters of the State, Being the special order for this hour, was taken up.

Amendment No. 1, reported by the Committee of the Whole, was rejected.

Senator Hudd moved to lay amendment No. 2 on the table.

Which motion was lost, by the following vote:

Ayes—Senators R. E. Davis, Downs, Eastman, Hudd, McFarland, Mitchell, Reed, Schuette, and Silverthorn—9.

Nays—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, H. N. Davis, Douglas, Farr, Flint, Hathaway, Hiner, Nevins, Potter, Tate, Treat, and Welch—18.

The amendment was then rejected.

Amendments Nos. 3, 4, 5, 6, and 7, were adopted.

Senator Downs offered the following amendment:

Amend section 1, by adding after the word "suckers," the words red-horse, perch, pickerel, pike, cat-fish, and bull-heads.

The amendment was adopted.

Senator Welch offered the following amendment:

Amend by adding to section 13 the following: "But shall not be construed as in any way affecting the act for the preservation of fish in Dell Creek, Sauk county."

The amendment was adopted.

Senator Hudd offered the following amendment:

Amend section 6, in the first and second line, so that they will read, "any sheriff, coroner, justice of the peace, constable or policeman, of the proper county, upon view or on complaint, shall arrest any person offending against."

The amendment was adopted.

Senator R. E. Davis moved that the vote by which amendment No. 1, reported by the Committee of the Whole, was rejected, be reconsidered.

Which motion prevailed,

And the amendment was adopted.

Senator Hathaway offered the following amendment:

Amend section 9, by adding after "Green Bay," in the last line of said section, "and Mississippi River."

Senator Barron offered the following amendment to the amendment:

Amend by adding the "Gulf of Mexico."

On motion of Senator Potter,

The bill, with pending amendments, was indefinitely postponed by the following vote:

Ayes—Senators Barney, Blair, Campbell, Douglas, Downs, Eastman, Hiner, Hudd, McFarland, Potter, Rounds, Schuette, Silverthorn, Tate, Treat, and Wilmot—16.

Nays—Senators Barden, Barron, Bryant, H. N. Davis, R. E. Davis, Farr, Flint, Hathaway, Mitchell, Nevins, Reed, and Welch—12.

Senator Potter moved that the vote by which the bill was indefinitely postponed be reconsidered, and that motion be laid on the table.

Which motion prevailed.

No. 246, S.,

A bill to consolidate and amend the game laws of Wisconsin.

Being the next bill in the special order, was taken up.

Senator Bryant moved to indefinitely postpone the bill.

Which motion prevailed.

Senator Nevins moved that the vote by which the bill was indefinitely postponed, be reconsidered and the motion laid on the table.

Which motion prevailed, by the following vote.

Ayes—Senators Baker, Barney, Bryant, Campbell, Downs, Eastman, Farr, Hiner, Hudd, McFarland, Nevins, Reed, Silverthorn, Welch, and Wilmot—15.

Nays—Senators Barron, Blair, H. N. Davis, R. E. Davis, Douglas, Flint, Mitchell, Potter, Rounds, Schuette, Tate, and Treat—11.

Jt. Res. No. 8, A.,

To amend sections 4, 5, 11, and 12, of article 4, of the constitution of the State of Wisconsin.

Being next in the special order, was taken up.

Senator Barron offered the following amendment:

Amend by striking out the word biennial wherever it occurs and inserting Centennial.

The amendment was lost.

The resolution was then indefinitely postponed by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Bryant, H. N. Davis, R. E. Davis, Douglas, Eastman, Farr, Flint, Hiner, Hudd, McFarland, Mitchell, Nevins, Potter, Reed, Silverthorn, and Wilmot—20.

Nays—Senators Blair, Campbell, Downs, Hathaway, Rounds, Tate, Treat, and Welch—8.

Jt. Res. No. 11, S.,

Proposing an amendment to the constitution of the State of Wisconsin.

Was the next in the special order.

The resolution was indefinitely postponed.

Jt. Res. No. 14, S.,

Proposing an amendment to section 2, of article 8, of the constitution of this State.

The question being on the indefinite postponement of the resolution,

The ayes and noes were called for, and it was lost by the following vote:

Ayes—Senators Barney, Barron, Blair, Bryant, Eastman, Hudd, McFarland, Mitchell, Reed, Silverthorn, and Wilmot—11.

Nays—Senators Baker, Barden, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Nevins, Potter, Rounds, Tate, Treat, and Welch—17.

Senator Downs offered the following amendment:



Amend by striking out the word "made" where it last occurs in the resolution, and insert the word "filed."

The amendment was adopted,

And the resolution was then agreed to by the following vote:

Ayes—Senators Baker, Barden, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Nevins, Potter, Rounds, Tate, Treat, and Welch—17.

Nays—Senators Barney, Barron, Bryant, Eastman, Hudd, McFarland, Mitchell, Reed, Silverthorn, and Wilmot—10.

Senator Tate moved that the vote by which the resolution was agreed to be reconsidered, and that the motion be laid upon the table.

Which motion prevailed.

The amendments to,

Jt. Res. No. 16, S.,

To amend section 4, of article 7, of the constitution of the State of Wisconsin, providing for the enlargement of the Supreme Court to five judges.

Were adopted, and the resolution was agreed to by the following vote:

Ayes—Senators Baker, Barney, Barron, Bryant, H. N. Davis, R. E. Davis, Douglas, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Schuette, Silverthorn, and Treat—22.

Nays—Senators Barden, Campbell, Downs, Tate, Welch, and Wilmot—6.

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#### SENATE BILLS ON THEIR ENGROSSMENT.

No. 168, A.,

A bill to require the building and maintaining of fences along highways.

Was indefinitely postponed.

The amendments to,

No. 213, S.,

A bill in relation to chattel mortgages.

Were adopted,

And the bill was ordered engrossed for a third reading.

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#### ASSEMBLY BILLS ON THEIR THIRD READING.

No. 159, A.,

A bill legalizing the action of the county board of supervisors of Dunn county in fixing the salary of the district attorney.

No. 216, A.,

A bill relating to the Hospital for the Insane.

No. 222, A.,

A bill to provide for the support of the poor of Milwaukee county.

No. 262, A.,

A bill to legalize the official acts of F. A. Brown as notary public, of Columbia county.

No. 278, A.,

A bill to amend section 3, of chapter 187, of the revised statutes of the State of Wisconsin, entitled, of prisons generally, and common jails.

No. 321, A.

A bill providing for the sale of canal lands to actual settlers, for farming purposes, and to secure titles thereto.

No. 359, A.,

A bill to provide for the better protection of bridges in certain cases.

No. 364, A.,

A bill to authorize the Commissioners of School and University Lands to appoint a commission to inquire into the transactions of the Sturgeon Bay and Lake Michigan Ship-Canal and Harbor Company, and to make report of the same.

No. 365, A.,

A bill to provide for the protection of the land granted by Congress to the State, to aid in the construction of the Sturgeon Bay and Lake Michigan Ship-Canal and Harbor; to provide for the custody and disbursement of the funds arising from the sale of or trespass on said lands, or otherwise proceeding from or out of the same; and to repeal, revise, and amend certain acts therein mentioned, relating to said lands and funds, and to the Sturgeon Bay and Lake Michigan Ship-Canal and Harbor Company.

Were severally ordered to a third reading.

The amendments to,

No. 235, A.,

A bill in relation to the publication of legal notices.

Were adopted.

And the bill was ordered to a third reading.

No. 169, A.,

A bill to secure future advances upon mortgages, and for other purposes.

Was indefinitely postponed.

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On motion of Senator Farr,  
The Senate adjourned.

TUESDAY, MARCH 7, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Schuette, Silverthorn, Scott, Tate, Treat, Welch, and Wilmot.

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On motion of Senator Mitchell,

No. 236, A.,

A bill to amend chapter 184, laws of 1874, entitled, an act to revise and consolidate and amend the charter of the city of Milwaukee, and the several acts amendatory thereof.

Was recalled from the Assembly.

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#### REPORTS OF COMMITTEES.

The Committee on Engrossed Bills have examined and find correctly engrossed the following bills:

No. 209, S.,

A bill to amend section 76, of chapter 142, of the revised statutes of the State of Wisconsin, entitled, of the partition of land owned by several persons.

No. 273, S.,

A bill for the construction of a dam on Otter Creek, township 40, range 18 east, in Oconto county, Wisconsin, and maintain the same for manufacturing purposes.

D. E. WELCH,  
*Chairman.*

The Committee on Banks and Banking, to which was referred,  
No. 217, S.,

A bill to authorize town supervisors to form fire districts, and to purchase apparatus for the extinguishment of fires in unincorporated villages, and maintenance of fire departments in such villages.

No. 253, S.,

A bill to protect depositors in State and national banks.

No. 258, A.,

A bill to punish fraudulent banking.

Have had the same under consideration and directed me to report the bills back, and recommend that they be indefinitely postponed.

WM. BLAIR,  
*Chairman.*

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The majority of the Committee on Incorporations, to whom was referred,

No. 98, A.,

A bill to amend and re-enact as amended chapter 333, of the laws of 1875, entitled, "an act to amend chapter 6, of the private and local laws of 1872, entitled, 'an act to incorporate the city of Eau Claire,'" so as to authorize the construction of water-works by and for said city.

Have had the same under consideration, and report the same back without recommendation.

R. H. BAKER,  
E. EASTMAN.

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The undersigned, a minority of the committee to whom was referred,

No. 98, A.,

A bill to amend, and re-enact as amended, chapter 333, of the laws of 1875, entitled, an act to amend chapter 16, of the private and local laws of 1872, entitled, an act to incorporate the city of Eau Claire, so as to authorize the construction of water-works by and for said city.

Have had the same under consideration and would respectfully report: Your committee find that a dam, as asked for in this bill, to-wit, a dam sixteen feet high, with a system of piers and booms, is not necessary for the purpose of affording water-works for the city.

The real object of the bill is unquestionably to produce slack-water, for the distance of five or six miles, to enable the city of Eau Claire to make a cut-off and construct a system of dams and booms, and storage for logs necessary to accommodate the large and increasing lumber interests of the city.

The proposed water-works can be provided for without the dam asked for in this bill.

We find that the Chippewa River is navigable between Chippewa

Falls and Eau Claire, in all stages of water, from low to extremely low, for lumber and logs; that rafting and the running of timber is being done without interruption, except in extreme low water, say from five to six weeks during each season, the amount of lumber run down, said river being very large—the evidence placing it at from 65 to 79 millions annually. The lumber interest above Eau Claire, would be adversely affected by the proposed dam, for the facts conclusively demonstrate that a pond five or six miles long, forming slack-water, creating new channels, and the pond filled with piers and booms, must to a certainty obstruct the navigation of the stream. What effect the locking of lumber through the dam might have, is one of opinion, for it would be experimental at the best, and no one can say certainly what the result would be.

The question of improving the Chippewa River, as suggested by the plans submitted by Colonel Farquhar, a government engineer, as well as the constitutionality of an act for granting charters for the erection of dams on navigable streams, your committee do not undertake to solve, for we are neither lawyers nor civil engineers.

About the only question for the Senate to determine is, whether under the pretext of providing water-works for the city of Eau Claire, a bill shall be passed which has for its real purpose the erection of a dam with its attendant piers, booms, &c., to enable the lumber manufacturers of that city to increase their storage capacity, and allow them to prosecute their large and growing business with more safety and economy at the expense of other manufacturers, who are prosecuting a like business farther up the stream. In view of the foregoing facts, I cannot unite in recommending the passage of the bill.

THOMAS B. SCOTT.

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The Committee on Finance, to whom was referred,  
Res. No. 46, S.,

*Resolved*, That the Committee on Finance, to which was referred a communication from the State Treasurer in answer to Resolution No. 8, Senate, requesting the State Treasurer to furnish a statement of the receipts and disbursements of the treasurer, on the various funds between the 30th day of September, 1875, and the 1st day of January, 1876, and the balances belonging to the different funds on the day last named, be and is hereby directed to examine said communication and vouchers in detail, and report at an early day.

Respectfully report, that pursuant to said resolution, your committee have examined the said communication and vouchers, as far as obtainable, and the expenditures in detail, and your committee find as follows:

That the disbursements under the headings of the departments, are principally for the quarter's salaries of the officers employed in those departments and authorized by law; that under the heading, "Protecting State Lands," the disbursements named are for warrants drawn in payment of salaries of agents: and for the other

disbursements named in said report, your committee find itemized bills on file with warrants in the Secretary's office except, in the following cases, viz:

## SUPERIOR HARBOR FUND.

## A warrant drawn to—

|  |          |
|--|----------|
| I. A. Lapham, for expenses to examine harbor.....  | \$58 65  |
| Wm. R. Taylor, for expenses to examine harbor..... | 500 00   |
| I. I. Moore, for protecting harbor.....            | 250 00   |
| I. I. Moore, for protecting harbor.....            | 150 00   |
| I. I. Moore, expenses to Washington.....           | 300 00   |
|  | <hr/>    |
|  | 1,258 65 |

## FOX AND WISCONSIN RIVER IMPROVEMENT FUND.

## A warrant drawn to—

|  |          |
|--|----------|
| Paid C. D. Robinson.....                                 | \$200 00 |
| Paid C. D. Robinson.....                                 | 900 00   |
| W. J. Abernethy.....                                     | 300 00   |
| W. J. Abernethy.....                                     | 100 00   |
| W. J. Abernethy.....                                     | 100 00   |
| W. R. Taylor, for expenses in examining improvement..... | 500 00   |
| H. Merriman.....   | 160 00   |
|  | <hr/>    |
|  | 2,260 00 |

That in examining the items under the heading "Governor's contingent fund," your committee found it necessary to examine the contingent-expense book in the executive office; that in doing so we find the disbursements under this heading to be during the last two years, \$2,891.05.

The following entries are made in the book with no vouchers on file except as named:

|   |         |
|---|---------|
| Transportation of indigent soldiers, (voucher on file \$6.50,)..... | \$26 35 |
| Traveling expenses to Iowa.....                                     | 25 00   |
| Transportation of indigent soldiers.....                            | 17 00   |
| Traveling expenses, newspapers, &c.....                             | 149 75  |
| Subsistence and transportation of indigent soldiers.....            | 19 60   |
| Telegraphing, newspapers, and traveling expenses.....               | 207 75  |
| Expenses visiting charitable institutes.....                        | 26 50   |

## DECEMBER 31, 1875.

|   |        |
|---|--------|
| Express charges to date (voucher on file for \$7.55).....   | 91 71  |
| Expenses—Superior Harbor case.....  | 100 00 |
| Traveling expenses of the Governor and Secretary on different railroads.....  | 285 96 |
| Transportation and subsistence of indigent soldiers.....  | 75 85  |
| Expenses preparatory to Decoration Day, and entertainment of Railroad Commissioners and other State officers, and miscellaneous expenses... | 169 65 |
| Newspapers, printing documents, and public printing.....  | 156 75 |
| Transportation and subsistence of indigent soldiers and other soldiers and Indians.....   | 159 90 |
| Telegraphing on official business to date (only voucher on file \$2.40)...  | 52 25  |

That under the heading "contingent expenses," your committee find itemized bills for all the purchases named, but the prices for most of the articles and the labor furnished and paid for, under the sev-

eral headings are at full twenty-five per cent. above market value, and in some instances fifty per cent., namely, the repairs on the three boilers consisted in putting on two new sheets to each boiler, putting in eight flues, without removing them from their position or breaking steam connections, for which the iron is charged at 15 cents per pound, the rivets at 12½ cents per pound, the flues at 90 cents per foot, were quoted in the market report at the same time for the same material used at 10 and 6 cents per pound, and the flues at 38 cents per foot, and the total expense in repairing said boilers for material and labor, amounting to \$2,390.11, and additional for brick-work, \$579.32. The same party who repaired the boilers, offers to make for your committee new boilers, of the same size, number of flues, and iron, furnishing material, and delivering the same on cars, in Milwaukee, for \$700 each.

Under the heading, "painting capitol, oils and paints," \$2, 251.68 was for labor in painting the outside of capitol building; the, same work was done in the same manner in 1870 for \$1,426.52. And for the amount of white lead, bills on file for said work, 7,685 pounds at 11 cents per pound. Your committee, from conversation with practical painters, cannot think that amount could be used, and that strictly pure white lead should have been purchased at 20 per cent. less at that time. The other items, including oil, are proportionately above the market price. That, in examining these accounts, your committee were led to look for some items in the superintendent of public property's office, but in doing so, could find no bills on file in that office or in the Secretary of State's office for the purchases of goods bought for this department for the past year.

At the high price paid for material and supplies purchased for the State, and from statements made, your committee are led to believe that drawbacks on much of the supplies furnished have been paid to some one, but to whom, they are unable to state, and ask to be relieved from further consideration of the subject.

Senator W. H. Jacobs instructing your committee to draw said report, but is not present to sign the same, having applied for leave of absence on account of illness at home.

R. H. BAKER,  
J. B. TREAT,  
*Committee.*

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The Committee on Incorporations, to whom was referred,  
No. 399, A.,

A bill to amend the charter of the city of Fort Howard.

Have had the same under consideration, and instructed me to report same back, and recommend its passage.

THOS. B. SCOTT,  
*Chairman.*

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The Committee on Railroads has had under consideration,  
No. 42, S.,

A bill to repeal chapter 290, of the laws of 1874, entitled, "an

act to authorize the board of railroad commissioners to employ a clerk."

Together with the substitute therefor, which was referred to them, and report the same back, recommending the adoption and passage of the substitute aforesaid.

W. H. HINER,  
*Chairman.*

On motion of Senator Barney,

The rules were suspended, the amendments to the bill were adopted, and the bill was read a third time and passed.

And the title amended so as to read as follows:

An act to incorporate the Milwaukee and Beloit Railroad Company, approved March 29, 1855, as amended by chapter 364, of the private and local laws of 1864; and again amended by chapter 294, of private and local laws of 1870, approved March 4, 1870.

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The Committee on Finance, to whom was referred,  
No. 188, S.,

A bill to appropriate to the Superintendent of Public Property the sum therein named, and for the use of the State.

Have had the same under consideration and request me to report the same back, with passage recommended.

R. H. BAKER,  
*Chairman.*

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The Committee on Public Lands, to whom was referred,  
No. 317, A.,

A bill to amend and combine sections 29 and 30, of chapter 28, of the revised statutes of 1858, entitled, "of school and other lands."

Have had the same under consideration and instructed me to report the same back, with the recommendation that it be concurred in.

MARK DOUGLAS,  
*Chairman.*

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The Committee on the Judiciary, to which were referred,  
No. 280, S.,

A bill to amend section 1, of chapter 284, of the laws of Wisconsin of 1875, entitled, an act in relation to the duties and fees of registers of deeds, and other county officers in certain cases.

No. 204, S.,

A bill to amend chapter 152, of the general laws of 1869, entitled, an act to codify the laws of this State relating to highways and bridges.

No. 214, S.,

A bill to abolish time sentences to the State Prison.



No. 286, S.,

A bill to detach the county of Barron from the eighth judicial circuit, and attach said county to the eleventh judicial circuit, and to fix the terms of court therein.

No. 170, S.,

A bill to constitute and organize the tenth judicial circuit, and to fix the term therein, and to change the limits of the third, fourth, and tenth circuits.

No. 173, S.,

A bill to aid free discussion and sustain the liberty of the press.

No. 210, S.,

A bill relating to actions against life insurance companies.

No. 208, S.,

A bill requiring notice to be given in cases where damages may happen to any person on account of insufficiency or want of repair of any highway, bridge, or sidewalk in any incorporated village, with pending amendment.

Has had the same under consideration and has instructed me to report them back with the recommendation that they be indefinitely postponed.

H. D. BARRON,

*Chairman.*

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The Committee on the Judiciary,\*to which were referred,

No. 228, S.,

A bill to amend certain sections of chapter 13, of the revised statutes, entitled, "of counties and county officers."

No. 229, S.,

A bill to provide for the numbering consecutively of instruments or writings offered for record or to be filed in the office of registers of deeds.

Has had the same under consideration, and instructed me to report them back without recommendation.

H. D. BARRON.

*Chairman.*

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The Committee on State Affairs, to whom was referred,

No. 115, S.,

A bill to establish the salaries of State officers.

Respectfully report that they have had the same under consideration, and instructed me to report the same back to the Senate with amendments in the form of a substitute, and recommend the passage of the same when so amended.

No. 166, S.,

A bill to provide for the safe-keeping of public moneys, and the investment of surplus funds.

With the recommendation that it be indefinitely postponed.

No. 232, A.,

A bill authorizing the Governor to appoint commissioners to in-

investigate the claim of Nelson McNeal against the State, and to report thereon to the next legislature.

With the recommendation that it be concurred in.

L. W. BARDEN,  
*Chairman.*

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The Committee on Enrolled Bills have examined and find correctly enrolled the following bills:

No. 69, S.,

An act in relation to the pontoon-bridge across the Mississippi River at Prairie du Chien.

No. 227, S.,

An act to revise, consolidate, and amend the charter of the city of La Crosse, approved February 19, 1869, and the several acts amendatory thereof.

R. J. FLINT,  
*Chairman.*

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#### REPORTS OF SELECT COMMITTEES.

The select committee, to whom was referred,

No. 230, A.,

A bill to legalize the acts of the commissioners appointed by chapter 104, of the laws of 1874, entitled, "an act to lay out and establish a State road from the village of Woodstock, Richland county, Wisconsin, via the village of Debello, Vernon county, Wisconsin, to Wonewoc, Juneau county, Wisconsin.

Have had the same under consideration, and instructed me to report the same back, with an amendment, and recommend that it do pass when so amended.

D. L. DOWNS,  
*Chairman.*

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The select committee, to which was referred,

No. 135, A.,

A bill to repeal chapter 175, of the laws of Wisconsin, of 1875, "an act to authorize the county board of supervisors of Milwaukee county to increase the salary of the district attorney."

Has had the same under consideration, and report it back, concurrence recommended.

JNO. L. MITCHELL,  
*Committee.*

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 246, A.,

A bill for the protection of land owners against the malpractice of incompetent surveyors.

No. 161, A.,

A bill to amend chapter 67, of the revised statutes, relating to cemetery associations and town cemeteries.

No. 378, A.,

A bill to provide for an abstract of tax titles, in the county of Milwaukee, and amendatory of chapter 123, of the private and local laws of 1867.

No. 352, A.,

A bill to provide for court commissioners in Milwaukee county.

No. 360, A.,

A bill to authorize the Commissioners of School and University Lands to loan a portion of the trust funds of the State to the city of Chippewa Falls.

No. 274, A.,

A bill to appropriate money to the State Hospital for the Insane, for the removal of patients to the Northern Hospital, and for other purposes.

No. 344, A.,

A bill relating to and amendatory of chapter 140, of the private and local laws of 1872, entitled, an act to amend chapter 474, of the private and local laws of 1866, entitled, "an act to reduce the act incorporating the city of Janesville and the several acts amendatory thereof."

No. 263, A.,

A bill to provide for the proof of claims against the estate of deceased persons.

No. 302, A.,

A bill to amend section 3, chapter 329, of the general laws of 1874, entitled, an act for the preservation of game in the State of Wisconsin.

No. 338, A.,

A bill to amend chapter 158, of the private and local laws of 1859, entitled, "an act to establish a code of procedure for the police court of the city of Stevens Point."

No. 241, A.,

A bill to amend chapter 199, of the private and local laws of 1859, entitled, "an act to establish a municipal court in the city and county of Milwaukee."

No. 385, A.,

A bill relating to the general laws in Milwaukee county.

No. 291, A.,

A bill to amend chapter 184, of the laws of 1874, entitled, an act to revise, consolidate and amend the charter of the city of Milwaukee, approved February 20, 1852, and the several acts amendatory thereof.

No. 209, A.,

A bill to prevent hunting of deer with dogs.

No. 264, A.,

A bill to protect fish in the Baraboo River, in the counties of Columbia, Sauk, Juneau, Monroe, and Vernon.

No. 299, A.,

A bill to permit school-districts, in Marathon county, to be divided, and new districts formed.

And has concurred in Senate amendments to,

No. 201, A.,

A bill prohibiting the paying of damages to persons in Polk county, who petition for laying out, discontinuing, or vacating highways.

No. 368, A.,

A bill relating to petit juries in Marquette county.

No. 152, A.,

A bill to authorize the board of supervisors of Chippewa county to fix the salary of county superintendent of schools.

And has concurred in,

No. 196, S.,

A bill to amend sections 1 and 2, of chapter 138, of the general laws of 1870, entitled, "an act for the destruction of lynxes, wolves, and wild-cats."

Jt. Res. No. 24, S.,

Authorizing the State Geologist to furnish the Board of Centennial Managers maps, specimens, &c.

And has amended, and concurred in as amended,

No. 132, S.,

A bill to extend the time for the construction of the North Wisconsin Railway, and to waive the forfeiture incurred by the North Wisconsin Railway Company, by its failure to construct twenty miles of its road during the year 1875.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk, thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has concurred in,

No. 221, S.,

A bill to incorporate the city of River Falls.

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#### ASSEMBLY MESSAGE CONSIDERED.

Nos. 264, 209, 246, and 302, A.,

Were referred to the Committee on State Affairs.

No. 263, A.,

Was referred to the Committee on Judiciary.

Nos. 161, 338, and 344, A.,

Were referred to the Committee on Incorporations.

No. 360, A.,

Was referred to the Committee on Education.

No. 274, A.,

Was referred to the Committee on Claims.

No. 378, A.,

Was referred to a select committee, consisting of Senator Potter.

No. 299, A.,

Was referred to a select committee, consisting of Senator Silverthorn.

Nos. 291, 385, and 352, A.,

Were referred to a select committee, consisting of Senator Mitchell.

The amendments to,

No. 132, S.,

Were concurred in.

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### THE SPECIAL ORDER.

No. 42, A.,

A bill to organize the thirteenth judicial circuit, and to change the limits of the sixth and eighth judicial circuits.

Being the special order for this hour, was taken up.

The amendments to the bill were adopted.

And the bill was concurred in by the following vote:

Ayes—Senators Baker, Barney, Barron, Bryant, H. N. Davis, R. E. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Hudd, Nevins, Reed, Rounds, Schuette, Scott, and Tate—19.

Nays—Senators Barden, Blair, Campbell, McFarland, Mitchell, Potter, Treat, and Wilmot—8.

Jt. Res. No. 17, S.,

Proposing an amendment to section 5, of article I, of the constitution of the State of Wisconsin, so as to dispense with the requirements of unanimous verdicts of juries, was next in the special order.

The question being on the reconsideration of the vote by which the resolution was indefinitely postponed,

The Senate refused to reconsider its action by the following vote:

Ayes—Senators Barden, Barney, Bryant, Downs, Flint, Hudd, Reed, Schuette, Scott, Tate, Treat, and Welch—12.

Nays—Senators Baker, Barron, Blair, Campbell, H. N. Davis, R. E. Davis, Douglas, Eastman, Hathaway, Hiner, McFarland, Mitchell, Nevins, Potter, Rounds, Silverthorn, and Wilmot—17.

No. 413, A.,

A bill to appropriate to Taylor S. Hayhurst a sum of money therein named.

No. 414, A.,

A bill to appropriate to Patrick Griffin a sum of money therein named.

No. 415, A.,

A bill to appropriate to Ansley Gray a sum of money therein named.

Were the next in the special order.  
The bills were,  
On motion of Senator Welch,  
Recommitted to the Committee on Claims.

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### ASSEMBLY BILLS ON THEIR THIRD READING.

No. 159, A.,

A bill legalizing the action of the county board of supervisors of Dunn county, fixing the salary of the district attorney.

No. 198, A.,

A bill to revive and restore chapter 188, of the general laws of 1872, entitled, "an act to provide for the incorporation of villages," as it was originally enacted; to restore certain laws relating to the same, and to legalize the assessment, levy, and collection of taxes in villages incorporated under said act.

No. 216, A.,

A bill relating to the Hospitals for the Insane.

No. 222, A.,

A bill to provide for the support of the poor of Milwaukee county.

No. 235, A.,

A bill in relation to the publication of legal notices.

No. 262, A.,

A bill to legalize the official acts of F. A. Brown, as notary public of Columbia county.

No. 278, A.,

A bill to amend section 3, of chapter 187, of the revised statutes of the State of Wisconsin, entitled, of prisons generally, and common jails.

No. 321, A.,

A bill providing for the sale of canal lands to actual settlers, for farming purposes, and to secure titles thereto.

No. 359, A.,

A bill to provide for the better protection of bridges in certain cases.

No. 364, A.,

A bill to authorize the Commissioners of School and University Lands to appoint a commission to inquire into the transactions of the Sturgeon Bay and Lake Michigan Ship-Canal and Harbor Company, and make report of the same.

No. 365, A.,

A bill to provide for the protection of the lands granted by Congress to the State, to aid in the construction of the Sturgeon Bay and Lake Michigan Ship-Canal and Harbor; to provide for the custody and disbursement of the funds arising from the sale of or trespass on said lands, or otherwise proceeding from or out of the same; and to repeal, revise, and amend certain acts therein mentioned, re-

lating to said lands and funds, and to the Sturgeon Bay and Lake Michigan Ship-Canal and Harbor Company.

No. 398, A.,

A bill to amend section 14, chapter 130, general laws of 1868, entitled, an act to provide for the assessment of property for taxation, and the levy of taxes thereon.

Were severally read a third time and concurred in.

No. 194, A.,

A bill to provide for the recording of the lands of the Wisconsin Railroad Farm-Mortgage Land Company, in the registers' office of the several counties in which such lands are situated.

Senator Welch, by unanimous consent, submitted the following amendment:

Amend section 3 by striking out "ten" in the first line and inserting "five."

Strike out of the second line all after the word "the," and insert the following:

"Treasurer of said Wisconsin Railroad Farm-Mortgage Land Company."

The amendments were adopted.

And the bill was concurred in as amended.

No. 305, A.,

A bill for the protection of life and property in the State of Wisconsin.

Was indefinitely postponed.

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#### SENATE BILLS ON THEIR THIRD READING.

No. 273, S.,

A bill for the construction of a dam on Otter Creek, township 40, range 18 east, in Oconto county, Wisconsin, and to maintain the same for manufacturing purposes.

Was read a third time and passed.

No. 209, S.,

A bill providing for struck juries.

Was read a third time and passed.

And the title amended so as to read as follows:

A bill to amend section 76, of chapter 142, of the revised statutes of the State of Wisconsin, entitled, the partition of land owned by several persons.

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#### ASSEMBLY BILLS ON THEIR THIRD READING.

No. 135, A.,

A bill to repeal chapter 175, of the laws of Wisconsin, 1875, an act to authorize the county board of supervisors of Milwaukee

county, to increase the salary of the district-attorney of said county, for the term commencing the 4th day of January, 1875, to enable him to employ a substitute.

No. 183, A.,

A bill to appropriate to James Quirk the sum of money therein named.

No. 317, A.,

A bill to amend and combine sections 29 and 30, of chapter 28, of the revised statutes of 1858, entitled, of school and other lands.

No. 376, A.,

A bill to appropriate to L. S. Dixon a sum of money therein named.

No. 399, A.,

A bill to amend the charter of the city of Fort Atkinson.

Were severally ordered to a third reading.

The amendments to,

No. 230, A.,

A bill to legalize the acts of the commissioners appointed by chapter 104, of the laws of 1874, entitled, an act to lay out and establish a State road from the village of Woodstock, Richland county, Wisconsin, *via* the village of Debello, Vernon county, Wisconsin, to Woneewoc, Juneau county, Wisconsin.

Were adopted.

And the bill was ordered to a third reading.

Senator Welch offered the following amendment to,

No. 327, A.,

A bill to appropriate to George Graham a sum of money.

Strike out "five hundred" and insert "two hundred."

The amendment was adopted.

And the bill was ordered to a third reading.

---

Senator Campbell moved to indefinitely postpone,

No. 232, A.,

A bill authorizing the Governor to appoint commissioners to investigate the claim of Nelson McNeal against the State of Wisconsin, and to report thereon to the next legislature.

Which motion was lost by the following vote:

Ayes—Senators Campbell, H. N. Davis, Douglas, Downs, Eastman, Hiner, Potter, Reed, Treat, and Welch—10.

Nays—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Flint, Hathaway, Hudd, McFarland, Mitchell, Nevins, Schuette, Scott, Silverthorn, and Tate—16.

The Senate refused to order the bill to a third reading by the following vote:

Ayes—Senators Baker, Barney, Barron, Blair, R. E. Davis, Flint, Hudd, McFarland, Mitchell, Nevins, Rounds, Schuette, Silverthorn, and Tate—14.

Nays—Senators Barden, Bryant, Campbell, H. N. Davis, Doug-



las, Downs, Eastman, Hathaway, Hiner, Potter, Reed, Scott, Treat, Welch, and Wilmot—15.

Senator Campbell moved that the vote by which the Senate refused to order the bill to a third reading be reconsidered, and that motion laid upon the table.

Which motion prevailed by the following vote:

Ayes—Senators Baker, Barden, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Hathaway, Hiner, Potter, Reed, Treat, Welch and Wilmot—15.

Nays—Senators Barney, Barron, Blair, Bryant, Flint, Hudd, McFarland, Mitchell Nevins, Rounds, Schuette, Silverthorn, Scott, and Tate—14.

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No. 98, A.,

A bill to amend and re-enact as amended, chapter 333, of the laws of 1875, entitled, "an act to amend chapter 16, of the private and local laws of 1872, entitled, 'an act to incorporate the city of Eau Claire,'" so as to authorize the construction of water works by and for said city.

Was made the special order for to-morrow, at 11 o'clock.

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### SENATE BILLS ON THEIR ENGROSSMENT.

Senator Barron offered a substitute to,

No. 204, S.,

A bill to amend chapter 152, of the general laws of 1869, entitled, "an act to codify the laws of the State relating to highways and bridges."

The substitute was adopted,

And the bill was ordered engrossed for a third reading.

No. 173, S.,

A bill to aid free discussion and sustain the liberty of the press.

No. 217, S.,

A bill to authorize town supervisors to form fire-districts, and to purchase apparatus for the extinguishment of fires in unincorporated villages, and maintenance of fire departments in such villages.

No. 210, S.,

A bill relating to accounts against life insurance companies.

No. 280, S.,

A bill to amend section 1, of chapter 284, of the laws of Wisconsin of 1875, entitled, an act in relation to the duties and fees of registers of deeds, and other county officers in certain cases.

Were indefinitely postponed.

No. 188, S.,

A bill to appropriate to the Superintendent of Public Property the sum therein named, for the use of the State.

Was referred to Committee on Claims.

No. 208, S.,

A bill requiring notice to be given in cases where damages may happen to any person on account of insufficiency or want of repair of any highway, bridge, or sidewalk in any incorporated village.

Was referred to select committee, consisting of Senator Welch.

No. 170, S.,

A bill to constitute and organize the 14th judicial circuit, and to fix the terms therein, and to change the limits of the 3d, 4th, and 10th circuits.

Was referred to a select committee, consisting of Senator Flint.

No. 286, S.,

A bill to detach the county of Barron from the eighth judicial circuit and to attach said county to the eleventh judicial circuit, and to fix the terms of court therein.

Was referred to a select committee, consisting of Senator Barron.

No. 214, S.,

A bill to abolish time sentences to the State Prison.

Was indefinitely postponed by the following vote:

Ayes—Senators Baker, Barden, Barron, Blair, Campbell, H. N. Davis, R. E. Davis, Douglas, Eastman, Flint, Hathaway, Hiner, McFarland, Mitchell, Potter, Rounds, Schuette, Silverthorn, Scott, Tate, Treat, and Welch—22.

Nays—Senators Barney, Bryant, Downs, Hudd, and Reed—5.

No. 115, S.,

A bill to establish the salaries of State officers.

Was made the special order for 7:30 this evening, and to continue so until disposed of.

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Senator Barron moved that when the Senate adjourn it be until 7:30 this evening.

Which motion prevailed.

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On motion of Senator Bryant,  
The Senate adjourned.

7½ O'CLOCK, P. M.

The Senate met pursuant to adjournment.  
The Lieutenant-Governor presiding.

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Senator Barden moved that the Governor be requested to return to the Senate, No. 133, without his signature, in order that the title to said bill may be corrected.

Which motion prevailed.

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#### MEMORIALS PRESENTED AND REFERRED.

By Senator Barron:

Mem. No. 193, S.,

Of S. H. Clough, T. W. Perry, H. Hayes, Jas. Edwards, D. George Morrison, Vincent Cournoyer, and others, of Douglas county, against taking the case of Superior Harbor against Duluth out of court.

To Committee on Federal Relations.

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#### RESOLUTIONS INTRODUCED.

By Senator Hudd:

Res. No. 50, S.,

Of condolence to the minority of the Committee on Apportionment, and some other things.

*Resolved*, That the chairman of the Joint Committee on Apportionment be requested to call the next meeting of the Apportionment Committee in the post-office building at Milwaukee, and the next meeting thereafter, at the post-office in La Crosse, Ashland, or Bayfield, to the end that the federal buildings, (for such purposes at Madison,) are not exclusively taxed in any one locality in receiving and entertaining the majority of said committee.

*Resolved further*, That there is hereby tendered to the minority of said apportionment committee, who attended at the appointed time and place for the meeting of said committee, and waited in vain for the return of the majority of said committee from the United States post-office building, where they were supposed to be under *duress*, political and otherwise, the condolence and sympathy of this Senate, while for their loss of time and profane expressions, if any, we say,

"Why be ye forlorn?

You may see the crib if you get no cura."

The resolution lies over under the rule.

By Senator Barron:

Res. No. 51, S.,

Relating to evening sessions during the remainder of the session.

*Resolved*, That the Senate will, during the remainder of this session of the legislature, meet on each evening at seven and a half o'clock, in addition to the daily morning session.

The resolution was adopted.

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### EXECUTIVE COMMUNICATION.

STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,

MADISON, March 7, 1876.

*To the honorable, the Senate:*

In compliance with the request of the Senate, I herewith return for further consideration, Senate bill, No. 133, entitled, "an act to amend section 3, of chapter 79, of the revised statutes, entitled, 'of railroads.'"

HARRISON LUDINGTON,  
*Governor.*

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to request the return of,  
No. 133, S.,

A bill to amend section 3, of chapter 79, of the revised statutes, entitled, of railroads.

For the purpose of correcting the title.

Said bill was returned to the Assembly as requested.

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to return to you,  
No. 133, S.,

A bill to amend section 3, chapter 79, of the revised statutes, entitled, "of railroads."

The Assembly having amended the title so as to read as follows:

A bill to amend section 40, of chapter 119, of the general laws of 1872, entitled, "an act in relation to railroads and the organization of railroad companies."

The amendment to the title to said bill made by the Assembly, was agreed to by the Senate.

## REPORTS OF COMMITTEES.

The Committee on Engrossed Bills have examined and find correctly engrossed the following bill:

A bill to amend chapter 152, of the general laws of 1869, entitled, an act to codify the laws of the State relating to highways and bridges.

D. E. WELCH,  
*Chairman.*

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The Committee on Internal Improvements, to whom was referred,

No. 363, A.,

A bill to grant to Albert B. Stephenson the right to build and maintain a pier in the waters of Green Bay.

No. 268, A.,

A bill authorizing the improvement of certain portions of Embarrass River.

Have had the same under consideration, and respectfully report the same back and recommend that they be concurred in.

J. B. TREAT,  
*Chairman.*

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The Committee on Incorporations, to whom was referred,

No. 338, A.,

A bill to amend chapter 158, of the private and local laws of 1859, entitled, "an act to establish a code of procedure for the police court of the city of Stevens Point."

No. 344, A.,

A bill relating to and amendatory of chapter 140, of the private and local laws of 1872, entitled, an act to amend chapter 474, of the private and local laws of 1866, entitled, an act to reduce the act incorporating the city of Janesville, and the several acts amendatory thereof.

No. 94, A.,

A bill to authorize the common council of the city of Janesville to fill certain excavations in Center Avenue.

No. 405, A.,

A bill to amend section 19, of chapter 67, of the revised statutes, entitled, of cemetery associations and town cemeteries.

No. 32, A.,

A bill to authorize the construction and maintenance of a dam across the Little Wolf River, on section 10, township 24, range 13, east, in Waupaca county.

No. 404, A.,

A bill to amend section 4, chapter 154, of the general laws of 1874, entitled, an act to authorize David E. Tewksbury to maintain a dam or dams on the north fork of Clam River, in Barron county.

No. 155, A.,

A bill to amend chapter 226, of the laws of 1874, entitled, "an act to legalize certain acts and proceedings relating to certain street improvements in the city of Janesville."

No. 406, A.,

A bill to amend section 4, of chapter 153, of general laws of 1874, entitled, an act to authorize W. A. Talbot and H. H. Hanscom to maintain a dam on north fork of Clam River, in Barron county.

No. 389, A.,

A bill to amend section 1, of chapter 262, of the private and local laws of 1869, entitled, "an act to incorporate the Mishicott Schuetzen Gesellschaft."

No. 195, A.,

A bill to amend section 1, chapter 326, laws of 1875, entitled, an act to authorize Roberts & Wheelan to maintain dams upon Black River.

No. 129, A.,

A bill to amend section 5, chapter 404, private and local laws of 1869, entitled, an act to amend chapter 267, of the private and local laws of 1858, entitled, an act to incorporate the city of Stevens Point.

No. 407, A.,

A bill to authorize John Arbuckle to maintain a dam across Barham stream, in Burnett county.

No. 249, A.,

A bill to establish lumber district number twelve, in the State of Wisconsin.

With recommendation that they do severally pass.

No. 161, A.,

A bill to amend chapter 67, of the revised statutes, relating to cemetery associations and town cemeteries.

With an amendment, and recommend passage when so amended.

No. 203, S.,

A bill to authorize John Duncan and William S. Taylor to maintain a dam on Silver Creek.

With recommendation that it do pass.

THOMAS B. SCOTT,  
*Chairman.*

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The Joint Committee on Claims, to whom was referred,

No. 413, A.,

A bill to appropriate to T. S. Hayhurst a sum of money therein named.

Recommend that it do pass, Senator Campbell dissenting.

No. 414, A.,

A bill to appropriate to Patrick Griffin a sum of money therein named.

No. 415, A.,

A bill to appropriate to Ansley Gray a sum of money therein named.

Recommend that they do pass.

No. 242, S.,

A bill to appropriate a certain sum of money therein named, to J. Henry Tate.

No. 118, S.,

A bill to appropriate to Reuben May a sum of money therein named.

Report the same back with amendments, and recommend their passage when so amended.

FRANCIS CAMPBELL,  
*Chairman.*

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The Committee on Enrolled Bills, have examined and found correctly enrolled,

No. 133, S.,

An act to amend section 40, of chapter 119, of the general laws of 1872, entitled, an act in relation to railroads and the organization of railroad companies.

R. J. FLINT,  
*Chairman.*

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The Joint Committee on Claims, to which was referred,

Mem. No. 37, S.,

Memorial of Sarah Jane Tarr, in respect to a patent for land issued to her by the State of Wisconsin,

Has had the same under consideration, and report it back with the recommendation that it be indefinitely postponed.

FRANCIS CAMPBELL,  
*Chairman.*

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The Committee on Agriculture, to whom was referred,

No. 393, A.,

A bill to amend section 1, of chapter 102, general laws 1868, relating to tree belts.

Respectfully report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be concurred in.

L. W. BARDEN,  
*Chairman.*

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The Committee on Railroads has had under consideration the Message of his excellency, the Governor, nominating a Railroad Commissioner, and respectfully recommend that the said nomination be confirmed.

W. H. HINER,  
*Chairman.*

The nomination was confirmed by the following vote:  
Ayes—Senators Baker, Barney, Barron, Blair, Bryant, Campbell, H. N. Davis, Downs, Farr, Flint, Hathaway, Hiner, Hudd, McFarland, Mitchell, Nevins, Rounds, Ryan, Schuette, Silverthorn, Scott, Tate, Treat, and Wilmot—24.  
Nays—0.

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### REPORTS OF SELECT COMMITTEES.

The select committee, to which was referred,  
No. 44, A.,  
A bill to revise the charter of Chippewa Falls.  
Have had the same under consideration and report the same back, with amendments, and recommend the passage of the same when so amended.

R. J. FLINT,  
*Committee.*

The amendments were adopted; and,  
On motion of Senator Flint,  
The rules were suspended, and the bill was read a third time and concurred in.

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The select committee, to which were referred,  
Jt. Res. No. 20, S.,  
Requesting Superintendent of Public Property to furnish copies of journals, laws, &c.

Jt. Res. No. 22, A.,  
Instructing the Secretary of State to forward copies of journals and laws of the present session to members of the legislature.

Has had the same under consideration, and report them back with the accompanying bill, and the recommendation that said bill do pass.

H. D. BARRON,  
*Chairman.*

On motion of Senator Barron,  
The rules were suspended, and the bill was passed,  
Said bill became,  
No. 296, S.,  
A bill relating to the distribution of the Senate and Assembly journals and other documents.

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The select committee, to whom was referred,  
No. 299, A.,  
A bill to permit school districts in Marathon county to be divided, and new districts formed.



Has had the same under consideration, and begs leave to report the same back with recommendation that it do pass.

W. C. SILVERTHORN,  
*Committee.*

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Senator Barden moved that,  
No. 232, A.,

A bill authorizing the Governor to appoint commissioners to investigate the claim of Nelson McNeal against the State of Wisconsin, and to report thereon to the next legislature.

Which was laid upon the table, be taken up.

Which motion prevailed by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hudd, McFarland, Mitchell, Nevins, Reed, Schuette, Silverthorn, Scott, and Tate—22.

Nays—Senators Campbell, Hathaway, Hiner, Potter, Treat, Welch, and Wilmot—7.

The vote by which the Senate refused to order the bill to a third reading

Was reconsidered by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, R. E. Davis, Douglas, Eastman, Flint, Hudd, McFarland, Mitchell, Nevins, Reed, Ryan, Schuette, Silverthorn, Scott, and Tate—20.

Nays—Senators Campbell, H. N. Davis, Downs, Farr, Hathaway, Hiner, Potter, Rounds, Treat, Welch, and Wilmot—11.

Senator Barron offered the following amendment:

Amend by inserting at the end of section 1, the following: "*And provided, further, that in case said board do not find anything to be due the claimant, he shall pay the expense of said commission.*"

The amendment was lost.

The bill was then ordered to a third reading by the following vote:

Ayes—Senators Baker, Barney, Barron, Blair, Bryant, R. E. Davis, Flint, Hudd, McFarland, Mitchell, Nevins, Schuette, Silverthorn, and Tate—14.

Nays—Senators Campbell, H. N. Davis, Downs, Farr, Hathaway, Hiner, Potter, Reed, Rounds, Scott, Treat, Welch, and Wilmot—13.

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Senator Bryant moved that,  
No. 246, S.,

A bill to consolidate and amend the game laws of Wisconsin.

Be taken from the table.

Which motion was lost by the following vote:

Ayes—Senators Baker, Barden, Barron, Blair, Bryant, H. N. Davis, R. E. Davis, Douglas, Farr, Flint, Hathaway, Hiner, Mitchell, Nevins, Reed, Scott, and Treat—17.

Nays—Senators Barney, Campbell, Downs, Eastman, Hudd, McFarland, Potter, Rounds, Ryan, Schuette, Silverthorn, Tate, Welch, and Wilmot—14.

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### THE SPECIAL ORDER.

No. 115, S.,

A bill to establish the salaries of State officers.

Being the special order for this hour,

Was taken up.

Senator Barron offered the following, to stand as section 3, of the substitute:

Section 3. The State Treasurer shall receive a salary of five thousand dollars per annum, which shall be in full for all services rendered by him in his official capacity, including his services as Commissioner of School and University Lands, which shall be paid out of the treasury of the State in monthly payments. All fees and perquisites received by him from every source, shall be paid into the State Treasury and become a part of the general fund.

The amendment was adopted by the following vote:

Ayes—Senators Baker, Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Flint, Hathaway, McFarland, Nevins, Potter, Scott, Treat, and Welch—17.

Nays—Senators Barney, Farr, Hudd, Mitchell, Ryan, Schuette, Silverthorn, Tate, and Wilmot—9.

The bill as amended was ordered printed.

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### RESOLUTIONS CONSIDERED.

Jt. Res. No. 20, S.,

Requesting Superintendent of Public Property to furnish copies of journals, laws, &c.; and,

Jt. Res. No. 22, A.,

Instructing the Secretary of State to forward copies of journals and laws of the present session to members of this legislature,

Were indefinitely postponed.

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### BILLS READY FOR ENGROSSMENT.

No. 253, S.,

A bill to protect depositors in State and national banks.

After some time spent in consideration thereof,

Said bill was laid aside, and

No. 258, A.,

A bill to punish fraudulent banking.

Was taken up,

The question being on the indefinite postponement of the bill,  
The Senate refused to indefinitely postpone the bill by the following vote:

Ayes—Senators Blair, Farr, Hiner, Mitchell; Silverthorn and Wilmot—6.

Nays—Senators Baker, Barden, Barney, Barron, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Flint, Hathaway, Hudd, McFarland, Potter, Reed, Rounds, Ryan, Schuette, Scott, Tate and Welch—23.

On motion of Senator R. E. Davis,

The rules were suspended,

And the bill was read a third time and concurred in by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Flint, Hathaway, Hudd, McFarland, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Tate, Treat, and Welch—25.

Nays—Senators Blair, Farr, Hiner, Mitchell, Silverthorn, and Wilmot—6.

No. 253, S.,

A bill to protect depositors in State and national banks.

Was referred to a select committee of one, consisting of Senator Bryant.

The amendments to,

No. 203, S.,

A bill to amend section 3, of chapter 299, of the private and local laws of 1870, entitled, "an act to define certain rights and duties of the Beef Slough Manufacturing, Booming, Log-Driving, and Transportation Company."

Were adopted.

And the bill was ordered engrossed.

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#### ASSEMBLY BILLS ON THEIR THIRD READING.

No. 32, A.,

A bill to authorize the construction and maintenance of a dam across the Little Wolf River, on section 10, township twenty-four, range thirteen east, in Waupaca county.

No. 94, A.,

A bill to authorize the common council of the city of Janesville, to fill certain excavations in Center Avenue.

No. 129, A.,

A bill to amend section 5, chapter 404, private and local laws of 1869, entitled, "an act to amend chapter 267, of the private and local laws of 1858, entitled, 'an act to incorporate the city of Stevens Point.'"

No. 155, A.,

A bill to amend chapter 226, of the laws of 1874, entitled, "an act to legalize certain acts and proceedings relating to certain street improvements in the city of Janesville."

No. 195, A.,

A bill to amend section 1, chapter 326, laws of 1875, entitled, an act to authorize Roberts & Wheelan to maintain a dam upon Black River.

No. 249, A.,

A bill for the establishment of lumber district No. 12, in the State of Wisconsin.

No. 268, A.,

A bill authorizing the improvement of certain portions of the Embarrass River.

No. 338, A.,

A bill to amend chapter 158, of the private and local laws of 1859, entitled, an act to establish a code of procedure, for the police court of the city of Stevens Point.

No. 344, A.,

A bill relating to and amendatory of chapter 140, of the private and local laws of 1872, entitled, an act to amend chapter 474, of the private and local laws of 1866, entitled, "an act to reduce the act incorporating the city of Janesville and the several acts amendatory thereof."

No. 363, A.,

A bill to grant to Albert B. Stephenson right to build and maintain a pier in the waters of Green Bay.

No. 389, A.,

A bill to amend section 1, chapter 262, of private and local laws of 1869, entitled, an act to incorporate the Mishicott Schuetzen Gesellschaft.

No. 393, A.,

A bill to amend section 1, chapter 102, general laws of 1868, relating to tree belts.

No. 404, A.,

A bill to amend section 4, of chapter 154, of general laws of 1874, entitled, an act to authorize David E. Tewksburg, to maintain a dam or dams, on the north fork of Clam River, in Barron county.

No. 405, A.,

A bill to amend section 19, of chapter 67, of the revised statutes, entitled, of cemetery associations and town cemeteries.

No. 406, A.,

A bill to amend section 4, of chapter 153, of general laws of 1874, entitled, an act to authorize W. A. Talboy and H. H. Hanscom to maintain a dam on north fork of Clam River, in Barron county.

No. 407, A.,

A bill to authorize John Arbuckle to maintain a dam across Barham stream, in Burnett county.

Were severally ordered to a third reading.

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Senator Mitchell moved that the vote by which,

No. 236, A.,

Was concurred in,

Be reconsidered, and that motion be postponed until to-morrow morning.

Which motion prevailed.

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On motion of Senator Potter,

Nos. 413, 414, 415, A., and 118, and 242, S.,

Were re-committed to the Committee on State Affairs with instructions to report to-morrow morning.

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On motion of Senator Barron,

The Senate adjourned.

WEDNESDAY, MARCH 8, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

Prayer by Rev. Mr. ———.

The roll was called and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hudd, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Silverthorn, Scott, Tate, Treat, Welch, and Wilmot.

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REPORTS OF COMMITTEES.

The Joint Committee on Claims, to which was referred,  
No. 188, S.,

A bill to appropriate to the Superintendent of Public Property the sum therein named, for the use of the State.

No. 274, A.,

A bill to appropriate money to the State Hospital for the Insane, for the removal of patients to the Northern Hospital and for other purposes.

Has had the same under consideration and report them back with the recommendation that they do pass.

No. 254, S.,

A bill to appropriate to Atwood & Culver the sum of money therein named.

No. 218, S.,

A bill to appropriate to the Columbus Union Fair and Agricultural Society a sum of money.

Has had the same under consideration and report them back with the recommendation that they be indefinitely postponed.

Senators Campbell and Nevins dissenting on bill No. 218, S.

FRANCIS CAMPBELL,

*Chairman.*

The Committee on State Affairs, to whom was referred,

No. 242, S.,

A bill to appropriate a certain sum of money to J. Henry Tate.

No. 118, S.,

A bill to appropriate to Reuben May a sum of money to cover his expenses in contested election case.

Respectfully report the same back to the Senate with sundry amendments, and recommend their passage when so amended.

And your committee further report that they have had under consideration,

No. 413, A.,

A bill to appropriate to Taylor S. Hayhurst a sum of money therein named.

No. 414, A.,

A bill to appropriate to Patrick Griffin a sum of money therein named.

No. 415, A.,

A bill to appropriate to Ansley Gray a sum of money therein named.

And have instructed me to report these three several bills back to the Senate, with amendments, and recommend that the same be concurred in when so amended.

L. W. BARDEN,  
*Chairman.*

—  
The Committee on Town and County Organization, having had under consideration, bills the subject matter of which is contained in,

Mem. Nos. 113, 115, 130, 131, 149, 150, 157, and 158.

Respectfully return said petitions to the Senate.

W. P. ROUNDS,  
*Chairman.*

—  
The Committee on Railroads has had under consideration,

No. 369, A.,

A bill to amend an act entitled, an act to revise and consolidate an act entitled, an act to incorporate the Wisconsin Valley Railroad Company, and the various acts amendatory thereto, approved March 16, 1871.

And report the same back with recommendation of concurrence.

W. H. HINER,  
*Chairman.*

—  
The Committee on Federal Relations to whom was referred,

M. C. No. 13, S.,

Have had same under consideration and directed me to report same back with a recommendation that it be indefinitely postponed, Senator Hudd dissenting.

GEO. E. BRYANT,  
*Chairman.*

The Committee on Internal Improvements, to whom was referred,  
No. 41, S.,

A bill to amend chapter 273, of the laws of 1874, entitled, an act relating to railroad, express, and telegraph companies in the State of Wisconsin.

Report the same back with substitute, and recommend the passage of the substitute.

J. B. TREAT,  
*Chairman.*

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### REPORTS OF SELECT COMMITTEES.

The select committee, to which was referred,  
No. 257, S.,

A bill in relation to the boundaries of the town of Baldwin, in St. Croix county.

Has had the same under consideration and recommend the adoption of the amendment reported by the Committee on Judiciary.

JOHN L. MITCHELL,  
*Committee.*

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The select committee, to which were referred,  
No. 385, A.,

A bill relating to the game laws in Milwaukee county.

No. 291, A.,

A bill to amend chapter 184, of the laws of 1874, entitled, an act to revise, consolidate and amend the charter of the city of Milwaukee, approved February 20, 1872, and the several acts amendatory thereof.

No. 241, A.,

A bill to amend chapter 199, of the private and local laws, 1859, entitled, an act to establish a municipal court in the city and county of Milwaukee.

Has had the same under consideration, and report them back with the recommendation that they be concurred in.

JOHN L. MITCHELL,  
*Committee.*

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The select committee, to whom was referred,  
No. 170, S.,

A bill to constitute the fourteenth judicial circuit, and to fix the terms therein, and to change the limits of the third, fourth, and tenth circuits.

Have had the same under consideration, and report the same back with substitute, and recommend the adoption of the substitute.

R. J. FLINT,  
*Chairman.*



The special committee, to whom was referred,

No. 107, A.,

Ask leave to report the same back with a substitute, and recommend the passage of the substitute.

On motion of Senator R. E. Davis,

The substitute was ordered printed.

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The Select Committee on Town Insurance Companies, to which were referred,

No. 58, A.,

A bill to amend chapter 240, general laws of 1875, entitled, an act authorizing adjoining towns, not exceeding fifteen in number, to form insurance companies.

No. 400, A.,

A bill to legalize the organization of the Farmers' Mutual Fire Insurance Company of the towns of Colfax, Dunn, Eau Galla, Elk Mound, Lucas, Grant, Menomonie, Peru, Red Cedar, Rock Creek, Stanton, Sherman, Spring Brook, Tainter, and Weston, in the county of Dunn, State of Wisconsin.

Report the same back with recommendation that their further consideration be indefinitely postponed.

R. E. DAVIS,  
*Chairman.*

---

The select committee, to whom was referred,

No. 234, S.,

A bill for the relief and protection of stockholders in railroad corporations.

Respectfully report the same back with a substitute and recommend its passage.

W. P. ROUNDS.

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The select committee, to whom was referred,

No. 391, A.,

A bill to amend chapter 254, of the private and local laws of the year 1868, entitled, an act to revise, consolidate, and amend the act to incorporate the city of Sheboygan, and the several acts amendatory thereof, and to repeal chapter 94, of the private and local laws of 1856, entitled, "an act to establish a code of procedure for the police court of the city of Sheboygan, approved March 4, 1856."

Have had the same under consideration and report the same back and recommend its passage.

E. EASTMAN,  
*Committee.*

On motion of Senator Eastman,

The rules were suspended, and the bill was read a third time and concurred in.

## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof :

MR. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 330, A.,

A bill for the organization of savings banks and savings societies.

No. 382, A.,

A bill to authorize the common council of Milwaukee to levy and collect a special tax on the first and seventh wards of said city, for the purpose of enlarging and establishing a hay and wood market in said first ward.

No. 394, A.,

A bill to protect the manufacture of butter and cheese.

No. 403, A.,

A bill to legalize the proceedings of C. J. Pardee, Albert Sharf, and James Wilson, a committee of the board of supervisors of the county of Columbia, appointed at the annual session of said board for the year 1875, in altering or changing a certain territorial road in the town of West Point, in said county.

No. 381, A.,

A bill to amend section 6, of chapter 116, of the revised statutes, entitled, of circuit courts.

No. 185, A.,

A bill to provide for payment of fees to garnishees.

No. 324, A.,

A bill for an act to amend chapter 16, of the private and local laws of 1872, entitled, an act to incorporate the city of Eau Claire.

No. 409, A.,

A bill to amend chapter 164, of the private and local laws of 1858, entitled, an act to incorporate the village of Whitewater, approved April 24, 1858, and chapter 589, of the private and local laws of 1867, approved April 11, 1867.

No. 279, A.,

A bill to provide against damage by corn-shellors, threshing-machines, or any other machine run by means of tumbling-rods or shafting.

No. 333, A.,

A bill to establish a State board of health, to provide for the appointment of a superintendent of vital statistics, and to assign certain duties to local boards of health.

No. 388, A.,

A bill to repeal chapter 482, of the general and local laws of 1852, entitled, an act to incorporate the Manitowoc and Two Rivers Plank-Road Company.

And has concurred in,

No. 156, S.,

A bill relating to the Supreme Court.

No. 177, S.,

A bill to improve the south branch of the Eau Claire River and its tributaries, in Clark county.

No. 178, S.,  
A bill to improve the north branch of the Eau Claire River, in the county of Clark.

No. 193, S.,  
A bill to enable certain towns, cities, and villages to construct and improve harbors.

No. 15, S.,  
A bill to provide for the publication of the transactions of the Northern Agricultural and Mechanical Association.

No. 270, S.,  
A bill to appropriate a sum of money therein named to pay for additional copies of the Legislative Manual for 1876.

No. 215, S.,  
A bill to codify and consolidate all laws in relation to town insurance companies.

Jt. Res. No. 14, S.,  
Proposing an amendment to section 2, of article 8, of the constitution of this State.

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#### ASSEMBLY MESSAGE CONSIDERED.

No. 330, A.,  
Was referred to the Committee on Banks and Banking.  
No. 382, A.,  
To general file.  
Nos. 394 and 279, A.,  
Were referred to the Committee on Agriculture.  
Nos. 185, 381, and 403, A.,  
Were referred to the Committee on Judiciary.  
Nos. 324 and 409, A.,  
Were referred to the Committee on Incorporations.  
No. 333, A.,  
Was referred to the Committee on Charitable and Penal Institutions.

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The Committee on Engrossed Bills have examined and find correctly engrossed the following bills:

No. 213, S.,  
A bill in relation to chattel mortgages.

D. E. WELCH,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,  
No. 201, S.,  
A bill relating to hawkers and peddlers, amendatory of chapter 27, of the laws of 1870.

Has had the same under consideration and has instructed me to report it back with amendment, and recommend that when so amended it pass.

Senators Hudd and Silverthorn dissenting.

H. D. BARRON.

*Chairman.*

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### THE SPECIAL ORDER.

No. 98, A.,

A bill to amend and re-enact as amended chapter 333, of the laws of 1875, entitled, "an act to amend chapter 16, of the private and local laws of 1872, entitled, 'an act to incorporate the city of Eau Claire,'" so as to authorize the construction of water-works by and for said city.

Being the special order for this hour, was taken up.

The question being on ordering the bill to a third reading,

During the calling of the roll, Senator Barron moved to be excused from voting.

The chair decided the motion out of order.

Senator Barron appealed from the decision of the chair.

The Senate sustained the decision of the chair by the following vote:

Ayes—Senators Baker, Barden, Barney, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Silverthorn, Scott, Treat, Welch, and Wilmot—29.

The calling of the roll was proceeded with and,

The bill was ordered to a third reading by the following vote.

Ayes—Senators Baker, Barney, Barron, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hudd, McFarland, Mitchell, Nevins, Potter, Rounds, Ryan, Tate, and Wilmot—21.

Nays—Senators Barden, Blair, Hathaway, Hiner, Reed, Schuette, Silverthorn, Scott, Treat, and Welch—10.

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### SENATE RESOLUTIONS CONSIDERED.

Res. No. 50, S.,

Of condolence to the minority of the apportionment committee and some other things.

Was referred to a select committee, consisting of Senator Barron.

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### ASSEMBLY BILLS READY FOR A THIRD READING.

No. 32, A.,

A bill to authorize the construction and maintenance of a dam

across the Little Wolf River, on section 10, township twenty-four, range thirteen east, in Waupaca county.

No. 94, A.,

A bill to authorize the common council of the city of Janesville, to fill certain excavations in Center Avenue.

No. 129, A.,

A bill to amend section 5, chapter 404, private and local laws of 1869, entitled, "an act to amend chapter 267, of the private and local laws of 1858, entitled, 'an act to incorporate the city of Stevens Point.'"

No. 135, A.,

A bill to repeal chapter 175, of the laws of Wisconsin, of 1875, "an act to authorize the county board of supervisors of Milwaukee county to increase the salary of the district attorney of said county, for the term commencing the 4th day of January, 1875, to enable him to employ a substitute.

No. 155, A.,

A bill to amend chapter 226, of the laws of 1874, entitled, "an act to legalize certain acts and proceedings relating to certain street improvements in the city of Janesville."

No. 195, A.,

A bill to amend section 1, chapter 326, laws of 1875, entitled, an act to authorize Roberts & Wheelan to maintain a dam upon Black River.

No. 230, A.,

A bill to legalize the acts of the commissioners appointed by chapter 104, of the laws of 1874, entitled, "an act to lay out and establish a State road from the village of Woodstock, Richland county, Wisconsin, *via* the village of Debello, Vernon county, Wisconsin, to Wonewoc, Juneau county, Wisconsin.

No. 249, A.,

A bill for the establishment of lumber district No. 12, in the State of Wisconsin.

No. 268, A.,

A bill authorizing the improvement of a certain portion of the Embarrass River.

No. 317, A.,

A bill to amend and combine sections 29 and 30, of chapter 28, of the revised statutes of 1858, entitled, "of school and other lands."

No. 338, A.,

A bill to amend chapter 158, of the private and local laws of 1859, entitled, "an act to establish a code of procedure for the police court of the city of Stevens Point."

No. 344, A.,

A bill relating to and amendatory of chapter 140, of the private and local laws of 1872, entitled, an act to amend chapter 474, of the private and local laws of 1866, entitled, "an act to reduce the act incorporating the city of Janesville and the several acts amendatory thereof."

No. 363, A.,

A bill to grant to Albert B. Stephenson the right to build and maintain a pier in the waters of Green Bay.

No. 399, A.,

A bill to amend the charter of the city of Fort Howard.

No. 389, A.,

A bill to amend section 1, of chapter 262, of the private and local laws of 1869, entitled, "an act to incorporate the Mishicott Schuetzen Gesellschaft."

No. 393, A.,

A bill to amend section 1, of chapter 102, general laws 1863, relating to tree belts.

No. 404, A.,

A bill to amend section 4, chapter 154, of the general laws of 1874, entitled, an act to authorize David E. Tewksbury to maintain a dam or dams on the north fork of Clam River, in Barron county.

No. 405, A.,

A bill to amend section 19, chapter 67, of the revised statutes, entitled, of cemetery associations and town cemeteries.

No. 406, A.,

A bill to amend section 4, of chapter 153, of general laws of 1874, entitled, an act to authorize W. A. Talboy and H. H. Hanscom to maintain a dam on north fork of Clam River, in Barron county.

No. 407, A.,

A bill to authorize John Arbuckle to maintain a dam across Barham Stream, in Burnett county.

Were severally read a third time and concurred in.

No. 232, A.,

A bill authorizing the Governor to appoint commissioners to investigate the claim of Nelson McNeal against the State of Wisconsin, and to report thereon to the next legislature.

Was concurred in by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, R. E. Davis, Downs, Eastman, Flint, Hudd, McFarland, Mitchell, Nevins, Ryan, Schuette, and Silverthorn—17.

Nays—Senators Campbell, H. N. Davis, Douglas, Hathaway, Hiner, Potter, Reed, Rounds, Tate, Treat, Welch, and Wilmot—13.

Senator Barron moved the vote by which the bill was concurred in be reconsidered, and that motion laid upon the table.

Which motion prevailed.

No. 327, A.,

A bill to appropriate to George Graham a sum of money.

Was concurred in by the following vote:

Ayes—Senators Baker, Barney, Barron, Blair, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, McFarland, Mitchell, Nevins, Reed, Rounds, Ryan, Schuette, Silverthorn, Scott, and Wilmot—26.

Nays—Senators Barden, and Treat—2.

No. 376, A.,

A bill to appropriate to L. S. Dixon a sum of money therein named.

Was concurred in by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, McFarland, Mitchell, Nevins, Rounds, Ryan, Schuette, Silverthorn, Scott, Treat, Welch, and Wilmot—28.

Nays—0.

The amendment reported by the Committee on State Affairs to, No. 413, A.,

A bill to appropriate to Taylor S. Hayhurst a sum of money therein named.

Was adopted by the following vote:

Ayes—Senators Baker, Barden, Barron, Blair, Campbell, H. N. Davis, Douglas, Downs, Farr, Hathaway, Potter, Rounds, Schuette, Scott, Treat, Welch, and Wilmot—17.

Nays—Senators Barney, Bryant, R. E. Davis, Eastman, Flint, Hiner, Hudd, McFarland, Mitchell, Nevins, Reed, Ryan, and Silverthorn—13.

The bill was then concurred in by the following vote:

Ayes—Senators Baker, Barden, Barney, Blair, Bryant, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, McFarland, Mitchell, Reed, Rounds, Ryan, Schuette, Silverthorn, and Scott—23.

Nays—Senators Barron, Campbell, Nevins, Potter, Treat, Welch, and Wilmot—7.

No. 414, A.,

A bill to appropriate to Patrick Griffin a sum of money therein named.

Senator Potter moved the previous question.

The motion being seconded,

The main question was ordered by the following vote:

Ayes—Senators Baker, Barney, Blair, Bryant, Campbell, H. N. Davis, Downs, Eastman, Farr, Flint, Hathaway, Hiner, McFarland, Mitchell, Nevins, Potter, Rounds, Ryan, Schuette, Silverthorn, Scott, Treat, and Welch—23.

Nays—Senators Reed and Wilmot—2.

The amendment to the bill was then rejected by the following vote:

Ayes—Senators Barden, Blair, Douglas, Farr, Hathaway, Potter, Rounds, Scott, Treat, Welch, and Wilmot—11.

Nays—Senators Barney, Bryant, Campbell, H. N. Davis, R. E. Davis, Downs, Eastman, Flint, Hiner, Hudd, McFarland, Mitchell, Nevins, Reed, Ryan, Schuette, and Silverthorn—17.

And the bill was passed by the following vote:

Ayes—Senators Baker, Barney, Blair, Campbell, H. N. Davis, R. E. Davis, Downs, Eastman, Flint, Hiner, Hudd, McFarland, Mitchell, Nevins, Reed, Ryan, Schuette, Silverthorn, and Scott—19.

Nays—Senators Barden, Bryant, Douglas, Farr, Hathaway, Potter, Rounds, Treat, Welch, and Wilmot—10.

The amendments to,  
No. 415, A.,

A bill to appropriate to Ansley Gray a sum of money therein named.

Were rejected by the following vote:

Ayes—Senators Barden, Blair, H. N. Davis, Douglas, Farr, Hathaway, Potter, Scott, Treat, Welch, and Wilmot—11.

Nays—Senators Baker, Barney, Bryant, Campbell, R. E. Davis, Downs, Eastman, Flint, Hiner, Hudd, McFarland, Mitchell, Nevins, Reed, Rounds, Ryan, Schuette, and Silverthorn—18.

The bill was then concurred in by the following vote:

Ayes—Senators Baker, Barney, Bryant, Campbell, R. E. Davis, Downs, Eastman, Flint, Hiner, Hudd, McFarland, Mitchell, Nevins, Reed, Ryan, Schuette, and Silverthorn—17.

Nays—Senators Barden, Blair, H. N. Davis, Douglas, Farr, Hathaway, Potter, Scott, Treat, Welch, and Wilmot—11.

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### SENATE BILLS ON THEIR THIRD READING.

No. 204, S.,

A bill to amend chapter 152, of the general laws of 1869, entitled, an act to codify the laws of this State relating to highways and bridges.

Was read a third time and passed.

And the title amended so as to read as follows:

A bill to legalize the official acts of Bentley S. Philips, a notary public for Eau Claire county.

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### SENATE BILLS ON THEIR ENGROSSMENT.

The amendments reported by the Committee on State Affairs to,  
No. 118, S.,

A bill to appropriate to Reuben May a sum of money to cover his expenses in contested election case.

Were adopted by the following vote:

Ayes—Senators Baker, Barden, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Flint, Hathaway, Mitchell, Potter, Schuette, Scott, Treat, Welch, and Wilmot—17.

Nays—Senators Barney, R. E. Davis, Eastman, Hudd, McFarland, Nevins, Reed, Rounds, Ryan, and Silverthorn—10.

And the bill was then ordered engrossed for a third reading by the following vote:

Ayes—Senators Barden, Barney, Blair, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Flint, Hathaway, Hudd, McFarland, Mitchell, Nevins, Reed, Rounds, Ryan, Schuette, and Scott—20.

Nays—Senators Baker, Bryant, Campbell, Farr, Potter, Silverthorn, Treat, Welch, and Wilmot—9.

The amendments to,



No. 242, S.,

A bill to appropriate a certain sum of money therein named, to J. Henry Tate.

Reported by the Committee on State Affairs, were rejected by the following vote:

Ayes—Senators Barden, Barron, Blair, Douglas, Potter, Welch, and Wilmot—7.

Nays—Senators Baker, Barney, Bryant, Campbell, H. N. Davis, R. E. Davis, Downs, Eastman, Flint, Hathaway, Hudd, McFarland, Mitchell, Nevins, Reed, Ryan, Schuette, Silverthorn, Scott, and Treat—20.

The amendment reported by the Committee on Claims was adopted by the following vote:

Ayes—Senators Barden, Blair, Campbell, H. N. Davis, Downs, Eastman, Flint, Hathaway, Hudd, McFarland, Mitchell, Nevins, Potter, Reed, Ryan, Schuette, Scott, Treat, Welch, and Wilmot—20.

Nays—Senators Baker, Barney, Barron, Bryant, R. E. Davis, and Douglas—6.

The bill was then ordered engrossed for a third reading by the following vote:

Ayes—Senators Baker, Barney, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Flint, Hathaway, Hudd, Mitchell, Nevins, Reed, Ryan, Schuette, Silverthorn, Scott, and Treat—22.

Nays—Senators Barden, Potter, Welch, and Wilmot—4.

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On motion of Senator Reed,  
The Senate adjourned.

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7½ O'CLOCK, P. M.

The Senate met pursuant to adjournment.  
The President *pro tem* presiding.

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### COMMUNICATIONS.

Senator Barney presented the following communication:

*To the Honorable, the Senate of the State of Wisconsin:*

My attention has been called to a report of a Senate committee, signed by Senators R. H. Baker and J. B. Treat, made to your body March 7, 1876, in which statements are made, in my opinion, far from a just and fair conclusion from the facts, and which statement

in the absence of explanation might, with persons unacquainted with the truth, do injustice to many persons.

The undersigned was for the last year Superintendent of Public Property, and in the discharge of his duties made all the purchases of supplies and employed all the general labor in and around the capitol. Your committee state that the prices for most of the articles and the labor furnished and paid for are at full twenty-five per cent. above market value. The records of the offices in the capitol show that instead of this being the fact, that the prices paid for articles furnished, and labor employed, was less than the State has paid for the same articles and labor for a long number of years. The committee mention the repairs of the boilers as an instance to sustain their report. The boilers were repaired by John W. Eviston, of Milwaukee. His bill for supplies and labor was carefully examined, compared with other bills of like character, done for other institutions, sworn to by him to be just and true, as to quantity and price. His reputation as an honest man and prominent citizen, who has done more of this kind of business than any other man in the State, will not suffer by this attack by the committee on his truth and honesty.

If his bill was not just, I submit the committee should recommend his punishment for the implied charge of perjury and dishonesty they make. It will be a surprise to many acquainted with the fact that these same boilers are insured by the State for \$9,000 to learn that they can be bought for \$2,100. New boilers can not be put in their place for less than \$8,000. The repairs, &c., made by Mr. Eviston, make the present ones nearly if not quite as good as new, and if otherwise, the repairs were an absolute necessity.

The committee also cite the bills for painting the capitol. They do not state that three full coats of paint was put on the whole building, which had not been done before. The material was purchased from J. H. Clark & Co., and Pardee Brothers, who will be surprised to learn for the first time that they have been guilty of perjury in swearing to their account, which accounts the committee must have seen, as sworn to by them. Your committee state that they found "no bills on file in the superintendent's office for the purchase of goods in that department for the last year." If they had also said that there were none there for any other year since the office was established, no false or wrong impression would have been possible.

The bills of purchase are the superintendent's personal vouchers for money expended by him, and for which he is responsible to the State. He has no other protection for himself or bondsmen. They have never been filed in the office by any superintendent, and probably never will be. They are, however, entered on the books of the office, which fact this committee knew, and show that the prices paid for "goods in that department" were from 25 to 50 per cent lower than ever before in the history of the State, and much cheaper than some of the same kind of goods have been purchased for since. But this, probably, is not the reason the committee took no more interest in the subject

The committee also state, that they are led to believe that drawbacks on much of the supplies furnished, have been paid to someone. For the information of the Senate, I will state that the supplies mentioned were purchased of John N. Jones, Dunning & Sumner, John H. Clark & Co., S. Klauber & Co., McKee & Folds, Pardee & Brother, Mosley & Co., and McConnell & Smith. If your committee are correct, these are, with the undersigned, the guilty parties. Should they not be called upon to testify? "Let no guilty man escape."

I cannot, in justice to myself and the others thus wronged by the committee's report, close without protesting against this thing, (unheard of and unthought of in the history of investigations,) of a committee investigating the official conduct of an officer opposed to them, and all of them, politically, without at least giving him notice, or making a report reflecting upon him, without at least giving him an opportunity to explain what the committee could not, or would not understand.

Had this course been adopted, I am satisfied the committee would not have laid themselves open to the charge of attempting to injure others for political purposes.

The fact that the committee did not ask for or recommend an investigation to sustain their "belief" is conclusive evidence that such belief is at least "very thin."

I respectfully ask that this communication be placed on the journal of the Senate to correct any false impressions that might be caused by the report of the Senate committee, and if any question exists in regard to any of the above statements, that a full and thorough investigation be instituted.

Respectfully,

J. G. KNIGHT.

The Committee on Finance submitted the following letters as quotations of market value of the goods they allude to in their report, and the letter from the party who repaired the boilers as to the value of the boilers each new:

BOILER MAKERS' SUPPLY HOUSE,

CHICAGO, March 1, 1876.

Messrs. PIERCE & WHALING, Milwaukee.

GENTLEMEN:—I was selling United States boiler-plates last September and October at 10½ cts. per lb. on mill-order, delivered to consumers, Chicago, and 10½ cts. per lb. as wanted out of store. Burden boiler-rivets, to consumers, 6, 6½, and 6½ cents. Morris, Taskes, & Co., 3 inch boiler-tubes, at 35 cents a foot, less 10 per cent., and adding the freight to Chicago, at 25 cents per hundred pounds—a foot weighing about 3½ pounds.

JOSEPH T. RYERSON.

OFFICE OF C. I. RAYNOLDS & Co.,  
CHICAGO, February 25, 1876.

DEAR SIR:—In reply to your favor of 24th inst. would say: During the months of August, September, and October, we sold strictly pure white lead, in ton lots at 9 cents, "size of packages no object." Our price for smaller quantities was  $9\frac{1}{4}$  to  $9\frac{1}{2}$  cents.

We are, respectfully,

C. I. RAYNOLDS & CO.

R. H. BAKER, Esq.,  
Madison, Wis.

OFFICE MILWAUKEE STEAM-BOILER WORKS,  
MILWAUKEE, February 26, 1876.

DEAR SIR:—Yours of the 25th instant is at hand. I can make you two boilers, 4 feet diameter, 12 feet long, with forty  $3\frac{1}{4}$  inch flues in each boiler. Shell of boiler  $\frac{1}{4}$ -inch; heads  $\frac{3}{8}$ -inch, of U. S. iron; flues of Morris, Tasker & Co.'s best American lap-welded; Burden's Troy-rivet, and Ulster bar-iron for braces. Boilers to have the necessary man-hole, and hand-hole, with plates complete, with breeching for each boiler. The above to be finished in the best workmanlike manner, for \$1,400. Or, if you furnish the material, will make for 4 cents a pound.

Yours, &c.,

J. W. EVISTON.

R. H. BAKER, Esq.,  
Madison, Wis.

## RESOLUTIONS INTRODUCED.

By Senator Barden:

Jt. Res. No. 25. S.,

For a committee of investigation to examine certain accounts.

*Resolved by the Senate, the Assembly concurring,* That a joint committee on investigation, to consist of two from the Senate and three from the Assembly, be appointed, to whom the report of the select committee on investigation of the accounts of the late Governor, together with the communication of the late Superintendent of Public Property, and all other communications relating thereto, be referred, and that said joint committee have full power to investigate and report thereon, and to send for persons and papers and administer oaths.

Senator Hudd offered the following substitute for the resolution:

*Resolved by the Senate, the Assembly concurring,* That a joint committee of investigation, to consist of two from the Senate and three from the Assembly, be appointed to investigate the accounts of the Governors of this State for the past four years, and the ac-

counts of Superintendents of Public Property for the same period of time, and all communications and reports presented at this session of the legislature in reference to the accounts of the late Governor of this State and the late Superintendent of Public Property, be referred to said joint committee, and that said joint committee have full power to investigate and report on all the said accounts by this resolution referred, with power to send for persons and papers, and the chairman or any member thereof be authorized to administer oaths.

Senator Bryant moved to refer the resolution and communications of the late Superintendent of Public Property and the Finance Committee to the Committee on Federal Relations.

Which motion was lost by the following vote:

Ayes—Senators Baker, Barden, Blair, Campbell, H. N. Davis, Douglas, Farr, Hathaway, Nevins, Potter, Rounds, Schuette, Tate, and Treat—14.

Nays—Senators Barney, Barron, Cavanagh, Downs, Eastman, Flint, Hudd, McFarland, Mitchell, Reed, Ryan, Silverthorn, Scott, Welch, and Wilmot—15.

Senator Tate offered the following amendment:

Amend by adding, the said committee be instructed to report to the Governor the result of their investigations.

The amendment was lost.

The substitute offered by Senator Hudd was adopted,

And the resolution as amended was then agreed to.

The chair appointed as the committee, on part of the Senate, Senators Barden and Barney.

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Senator Tate moved to adjourn.

Which motion was lost.

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On motion of Senator Barron.

The communications were ordered spread upon the journal,

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Senator Barden moved to adjourn.

Which motion was lost.

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#### REPORTS OF COMMITTEES.

The Committee on Engrossed Bills have examined and find correctly engrossed the following bills:

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No. 118, S.,

A bill to appropriate to Reuben May a sum of money, to cover his expenses in contested election case.

No. 242, S.,

A bill to appropriate a sum of money therein named to J. Henry Tate.

No. 203, S.,

A bill to amend section 3, of chapter 299, of the private and local laws of 1870, entitled, "an act to define certain rights and duties of the Beef Slough Manufacturing, Booming, Log-Driving, and Transportation Company."

D. E. WELCH,  
*Chairman.*

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The Committee on Enrolled Bills have examined and find correctly enrolled the following bills:

No. 290, S.,

An act to repeal chapter 147, of the private and local laws of 1871, and all acts amendatory thereof, relating to the taking of fish in Pike Lake, Washington county, Wisconsin, and all acts amendatory thereof.

Jt. Res. No. 24, S.,

Authorizing the State Geologist to furnish the Board of Centennial Managers maps, specimens, &c.

No. 196, S.,

An act to amend sections 1 and 2, of chapter 138, of the general laws of 1870, entitled, "an act for the destruction of lynxes, wolves, and wild-cats."

No. 132, S.,

An act to extend the time for the construction of the North Wisconsin Railway, and to waive the forfeiture incurred by the North Wisconsin Railway Company by its failure to construct 20 miles of its road during the year 1875.

R. J. FLINT,  
*Chairman.*

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The Committee on State Affairs, to whom was referred,

No. 264, A.,

A bill to protect fish in the Baraboo River, in the counties of Columbia, Sauk, Juneau, Monroe, and Vernon.

No. 302, A.,

A bill to amend section 3, chapter 329, of the general laws of 1874, entitled, an act for the preservation of game in the State of Wisconsin.

No. 77, A.,

A bill for the preservation of fish, in Waukesha county.

No. 113, A.,

A bill concerning the time of payment of salaries of certain officers and employees of the State.

No. 91, A..

A bill for the protection of brook-trout, in the State of Wisconsin.

No. 209, A.,

A bill to prevent the hunting of deer with dogs.

Respectfully report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that they be concurred in.

L. W. BARDEN,  
*Chairman.*

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The Committee on Roads, Bridges, and Ferries, to whom was referred,

No. 261, A.,

A bill to lay out, open, and establish a State road from, at or near Jenny, Lincoln county, to Westboro, Taylor county, and to intersect the new Yellow River road in Chippewa county, at a point on the northwest quarter of the northwest quarter of section 5, town 32, range 5 west.

Has had the same under consideration, and report the same back with amendment, and recommend its passage when so amended.

JOHN SCHUETTE,  
*Chairman.*

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The Committee on Agriculture, to whom was referred,  
Mems. No. 96, S., No. 95, S., and No. 154, S., memorials relating to the dog-law,

Respectfully report the same back to the Senate without recommendation.

L. W. BARDEN,  
*Chairman.*

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The Committee on State Affairs, to whom was referred,  
Mems. Nos. 54, 3, 6, 1, 47, 132, and 104, S.,  
Asking for the repeal of existing exemption laws.  
Mems. Nos. 125, 99, 39, 87, 92, and 75, S.,  
Asking amendment to the assessment laws.  
Mems. No. 79, S., No. 183, S., No. 123, S., No. 186, S., No. 181, S., No. 147, S., No. 148, S., No. 89, S., No. 118, S., No. 100, S., No. 128, S., No. 160, S., No. 145, S., No. 146, S., No. 116, S., No. 166, S., No. 101, S., No. 102, S., and No. 165, S.,  
Against the taxation of church property.  
Mems. No. 97, S., No. 88, S., No. 49, S., and No. 81, S.,  
To reduce the rate of interest.  
Mem. No. 117, S.,  
For creating a State board of health.  
Mem. No. 69, S.,  
For an appropriation to the State Historical Society.

Respectfully report that they have had the same under consideration, and instruct me to report the same back to the Senate.

L. W. BARDEN,  
*Chairman.*

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The Committee on Railroads, to which were referred,

Mems. Nos. 143, 142, 141, 140, 135, 138, 136, 133, 121, 119, 127, and 120.

In favor of the passage of the Vance bill for a modification of existing railroad laws.

Mems. Nos. 110, 111, 114, 124, 129, 135, 98, 78, 80, 73, 60, 59, 40, 180, 91, 58, 106, 156, 155, 153, S.,

Against the modification of the Potter-law.

Mems. Nos. 122, 74, 61, 64, 57, 55, 52, 51, 42, 18, 14, 9, 17, 19, 20, 21, 22, 23, 24, 25, 103, 187, 188, 189, 190, S.,

Asking for the repeal of the laws exempting the lands of the West Wisconsin Railway Company from taxation.

Mems. Nos. 38, 82, 90, and 48, S.,

Relating to the West Wisconsin Railway.

Mem. No. 90, S.,

Relating to the North Wisconsin Railway.

Mem. No. 10, S.,

Relating to amendments to railroad law.

Mem. No. 85, S.,

In relation to the rights of settlers upon railroad lands.

Mem. No. 12, S.,

Resolutions of board of supervisors of St. Croix county, relative to the issue of land-patents to the North Wisconsin Railway.

Herewith respectfully return the same to the Senate.

Res. No. 43, S.,

Requesting the Committee on Railroads to report whether in their judgment the "Potter-law" rates are liberal and remunerative, or otherwise; and also directing the Railroad Commissioners to report to the next legislature whether the State has been deprived of any of its lawful tax, and upon other matters:

And the message of the Governor nominating John T. Kingston as Railroad Commissioner.

With the recommendation that no action be had thereon.

W. H. HINER,  
*Chairman.*

The recommendation of the committee was adopted.

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The Committee on Incorporations, to whom was referred,

No. 324, A.,

A bill to amend chapter 16, private and local laws 1872, entitled, an act to incorporate the city of Eau Claire.



No. 409, A.,

A bill to amend chapter 164, of the private and local laws of 1853, entitled, an act to incorporate the village of Whitewater, approved April 24, 1858, and chapter 589, of the private and local laws of 1867, approved April 11, 1867.

Have had the same under consideration, and instructed me to report the same back with recommendation that they do pass.

THOMAS B. SCOTT,  
*Chairman.*

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The Committee on Agriculture, to whom was referred,

No. 279, A.,

A bill to provide against damage by corn-shellers, threshing-machines, or any other machine run by means of tumbling-rods or shafting.

Respectfully report the same back to the Senate without recommendation.

No. 394, A.,

A bill to protect the manufacture of butter and cheese.

With the recommendation that it do pass.

L. W. BARDEN,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,

No. 322, A.,

A bill to amend chapter 263, of the laws of 1873, entitled, "an act to prescribe the measure of damages in certain actions, for the wrongful cutting of timber."

Has had the same under consideration, and instructed me to report it back with amendment, and the recommendation that it pass when so amended.

H. D. BARRON,  
*Chairman.*

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The Committee on Judiciary, to which was referred,

No. 295, S.,

A bill relating to the publication of local laws.

Has had the same under consideration and instructed me to report it back with amendment, and the recommendation that it do pass when so amended.

H. D. BARRON,  
*Chairman.*

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The Committee on Judiciary, to which was referred,

No. 211, S.,

A bill to confer upon Christian Burckhardt and his heirs and assigns, certain franchises upon Willow River, St. Croix county.

Has had the same under consideration, and instructed me to report it back with the recommendation that it be indefinitely postponed.

H. D. BARRON,  
*Chairman.*

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The Committee on the Judiciary, to which was referred,

No. 155, S.,

A bill to constitute and organize the 13th judicial circuit of the State of Wisconsin, and to change the limits of the 6th, 7th, and 8th circuits.

Mem. No. 65, S.,

Petition of R. C. Spooner and 15 others, for the formation of a new judicial circuit.

Mem. No. 67, S.,

Petition of Thomas P. Matthews and 20 others, of Lincoln, asking for the formation of a new judicial circuit.

Mem. No. 68, S.,

Petition of J. A. Kellogg, of Marathon county, and 40 others, for the formation of a new judicial circuit.

Mem. No. 66, S.,

Petition of John R. Parish, of Taylor county, and 25 others, asking for the formation of a new judicial circuit.

Has had the same under consideration and instructed me to report them back, with the recommendation that they be referred to the Senator from the 21st district.

H. D. BARRON,  
*Chairman.*

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So ordered.

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The Committee on Judiciary, to whom were referred,

No. 262, S.,

A bill to amend section 25, of chapter 152, general laws of 1869, entitled, "an act to codify the laws of this State relating to highways and bridges."

No. 256, S.,

A bill to provide for the election of justices of the peace in the city of Watertown.

No. 185, A.,

A bill to provide for the payment of fees to garnishees.

No. 263, A.,

A bill to provide for the proof of claims against the estates of deceased persons.

No. 381, A.,

A bill to amend section 6, of chapter 16, of the revised statutes, entitled, of "circuit courts."

No. 403, A.,

A bill to legalize the proceedings of C. J. Pardee, Albert Sharf,

and James Wilson, a committee of the board of supervisors of the county of Columbia, Wisconsin, appointed at the annual session of said board for the year 1875, in altering or changing a certain territorial road in the town of West Point, in said county.

Has had the same under consideration, and instructed me to report them back without recommendation.

H. D. BARRON,  
*Chairman.*

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#### REPORTS OF SELECT COMMITTEES.

The select committee, to whom was referred,  
Mem. No. 163, S.,  
Asking amendments to the charter of the city of Portage.  
Respectfully report the same back to the Senate.

L. W. BARDEN,  
*Special Committee.*

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The Committee on Internal Improvements, to whom was referred so much of the Governor's message as relates to internal improvements.

Have had the same under consideration, and ask leave to report in the form of a memorial to Congress.

J. B. TREAT,  
*Chairman.*

Said memorial became,  
M. C. No. 16, S.,  
For the completion of the improvement of the Wisconsin and Fox Rivers.

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The Committee on Education, to whom was referred,  
Mem. No. 8, S.,  
In relation to claim of D. K. Tenney, for services rendered to the committee to revise and codify the laws of the State, relating to the assessment and collection of taxes,

Has had the same under consideration and instructed me to report the same back, with the accompanying bill, and the recommendation that they be referred to the Committee on Claims.

S. L. NEVINS,  
*Chairman.*

Said bill became,  
No. 297, S.,  
A bill in recognition of a certain claim against the State, and to appropriate money in settlement therefor, and for other purposes.

The Committee on Education, to which were referred,  
No. 360, A.,

A bill to authorize the Commissioners of School and University Lands to loan a portion of the trust funds of the State to the city of Chippewa Falls.

No. 379, A.,

A bill to appropriate a sum of money sufficient to pay for printing the school-laws, and for binding 200 copies of the same.

Has had the same under consideration, and instructed me to report them back and recommend that they be concurred in.

S. L. NEVINS,  
*Chairman.*

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The Committee on Federal Relations, to whom was referred,  
Jt. R-s. No. 6, A.,

With pending amendment,

Have had the same under consideration and directed me to report the same back with a recommendation that the resolution do pass, and the amendment be rejected, Senator Hudd dissenting.

GEO. E. BRYANT,  
*Chairman.*

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The Joint Committee on Claims, to which was referred,  
No. 294, S.,

A bill to appropriate a sum of money therein named to the directors of the State Prison for the purpose of providing hospital accommodations for the criminal insane within the prison.

No. 136, S.,

A bill to provide for the rebuilding of a portion of the Institution for the Education of the Blind, and to appropriate a sum of money therein named for that purpose.

Has had the same under consideration and report them back by substitute, and recommend that said substitutes do pass.

Jt. Res. No. 23, S.,

Relating to the location of the State Prison, and a hospital for the incurable insane.

Has had the same under consideration and report it back, with the recommendation that it be adopted.

FRANCIS CAMPBELL,  
*Chairman.*

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### EXECUTIVE COMMUNICATION.

STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,  
MADISON, March 8, 1876.

*To the honorable, the Senate:*

I herewith return to your honorable body, Senate bill, No. 243,

entitled, "an act to cure all defects and irregularities in the proceedings relative to the reorganization into joint stock company by the Waukesha County Agricultural Society."

I am advised that this bill does not express the will of the president and many members of the society to which it relates, and that the passage was procured under a misapprehension of their wishes.

I have, therefore, withheld my approval.

HARRISON LUDINGTON,

*Governor.*

The question being, shall the bill pass, notwithstanding the objections of his excellency, the Governor.

The Senate refused to pass the bill by the following vote:

Nays—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Silverthorn, Scott, Tate, Treat, Welch, and Wilmot—31.

Ayes—0.

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#### ASSEMBLY BILLS READY FOR A THIRD READING.

Senator Flint, by unanimous consent, offered the following amendments to,

No. 98, A.,

A bill to amend, and re-enact as amended, chapter 333, of the laws of 1875, entitled, an act to amend chapter 16, of the private and local laws of 1872, entitled, an act to incorporate the city of Eau Claire, so as to authorize the construction of water-works by and for said city.

Amend by striking out the word, "and," in the last line of section 4, and insert in lieu thereof the word, "of;" and by inserting the word "water," before the word "rents," in the fourth line of section 10.

The amendments were adopted.

And the bill was read a third time and concurred in by the following vote:

Ayes—Senators Baker, Barney, Bryant, Campbell, H. N. Davis, Douglas, Downs, Eastman, Farr, Flint, Hudd, McFarland, Mitchell, Nevins, Potter, Rounds, Ryan, Tate, and Wilmot—19.

Nays—Senators Barden, Blair, Cavanagh, Hathaway, Schuette, Silverthorn, Scott, Treat, and Welch—9.

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#### SENATE BILLS READY FOR A THIRD READING.

No. 213, S.,

A bill in relation to chattel mortgages.

Was read a third time and passed.

And the title amended so as to read as follows:

"An act to declare a certain highway in Kewaunee and Brown counties a State road."

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### SENATE BILLS ON THEIR ENGROSSMENT.

No. 188, S.,

A bill to appropriate to the Superintendent of Public Property the sum therein named, for the use of the State.

Was ordered engrossed for a third reading.

The amendments to,

No., 41, S.,

A bill to amend chapter 273, laws of 1874, entitled, "an act relating to railroads, express, and telegraph companies in the State of Wisconsin."

No. 257, S.,

A bill in relation to the boundaries of the town of Baldwin, in St. Croix county.

Were adopted,

And the bills were ordered engrossed for a third reading.

The amendments to,

No. 170, S.,

A bill to constitute and organize the 14th judicial circuit, and to fix the terms therein, and to change the limits of the 3d, 4th, and 10th circuits.

Were adopted.

On motion of Senator Flint,

The rules were suspended and the bill was read a third time and passed.

And the title amended so as to read as follows:

A bill to authorize the appointment of phonographic reporters for certain counties in the eleventh judicial circuit.

The amendments to,

No. 234, S.,

A bill for the relief and protection of stockholders in railroad corporations.

Were adopted, and,

On motion of Senator Rounds,

The rules were suspended, and the bill was read a third time and passed.

And the title amended so as to read as follows:

A bill relating to the circuit court of the county of Winnebago.

The amendments to,

No. 228, S.,

A bill to amend certain sections of chapter 13, of the revised statutes, entitled, "of counties and county officers."

Were adopted,

And the bill was postponed until to-morrow.

## ASSEMBLY BILLS ON THEIR THIRD READING.

No. 241, A.,

A bill to amend chapter 199, of the private and local laws of 1859, entitled, "an act to establish a municipal court in the city and county of Milwaukee."

No. 274, A.,

A bill to appropriate money to the State Hospital for the Insane, for the removal of patients to the Northern Hospital, and for other purposes.

No. 291, A.,

A bill to amend chapter 184, of the laws of 1874, entitled, an act to revise, consolidate and amend the charter of the city of Milwaukee, approved February 20, 1852, and the several acts amendatory thereof.

No. 299, A.,

A bill to permit school districts in Marathon county to be divided, and new districts formed.

No. 369, A.,

A bill to amend an act entitled, an act to revise and consolidate an act entitled, an act to incorporate the Wisconsin Valley Railroad Company, and the various acts amendatory thereto, approved March 16, 1871.

No. 382, A.,

A bill to authorize the common council of Milwaukee to levy and collect a special tax on the first and seventh wards of said city, for the purpose of enlarging and establishing a hay and wood market, in said first ward.

No. 385, A.,

A bill relating to the game laws in Milwaukee county.

Were severally ordered to a third reading.

The amendments to,

No. 161, A.,

A bill to amend chapter 67, of the revised statutes, relating to cemetery associations and town cemeteries.

Were adopted.

And the bill was ordered to a third reading.

No. 58, A.,

A bill to amend chapter 240, general laws of 1875, entitled, an act authorizing adjoining towns, not exceeding fifteen in number, to form insurance companies.

No. 400, A.,

A bill to legalize the organization of the Farmers' Mutual Fire Insurance Company of the towns of Colfax, Dunn, Eau Galla, Elk Mound, Grant, Lucas, Menomonie, Peru, Red Cedar, Rock Creek, Stanton, Sherman, Spring Brook, Tainter, and Weston, in the county of Dunn, State of Wisconsin.

Were indefinitely postponed.

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On motion of Senator Farr,  
The Senate adjourned.

THURSDAY, MARCH 9, 1876.

10 O'CLOCK, A. M.

The Senate met.

The President *pro tem.* presiding.

Prayer by Rev. Dr. Wilkinson.

The roll was called and the following Senators answered to their names:

Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Silverthorn, Scott, Tate, Treat, Welch, and Wilmot.

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Mem. by the Clerk:

At an hour too late for correcting the journal, Senator Nevins called attention to an error in the report of the Committee on Claims in yesterday's journal. Senators Nevins and Campbell was reported as dissenting in recommending the indefinite postponement of No. 218, S.; the dissent should have been on No. 254, S.

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Senator Barden asked to be excused from serving on the committee of investigation.

The Senator was excused.

The chair appointed Senator Treat in the place of Senator Barden, on the investigation committee.

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Senator Mitchell moved to reconsider the vote by which, No. 236, S.,

A bill to amend section 1, of chapter 299, of the general laws of 1873, entitled, an act to amend chapter 56, general laws of 1870, entitled, an act to provide for the incorporation and government of fire and inland navigation insurance companies.

Was concurred in.

Which motion prevailed.



With unanimous consent, Senator Jacobs offered the following amendment:

Amend by inserting after section 23, of the bill a new section:

Section 24. Section 4, of this act shall not be construed as repealing any of the provisions of chapter 159, of the laws of 1876, entitled, an act to authorize the improvement of streets in the second ward of the city of Milwaukee, and to authorize the levy of a special tax therefor, in said ward, and renumber the two following sections.

The amendment was adopted,

And the bill was then concurred in as amended.

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### REPORTS OF COMMITTEES.

The Committee on Engrossed Bills, have examined and find correctly engrossed the following bills:

No. 122, S.,

A bill to extend the time for settlers upon certain railroad land-grant lands to acquire title thereto.

D. E. WELCH,

*Chairman.*

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The Committee on Enrolled Bills, have examined and find correctly enrolled the following bills:

No. 193, S.,

An act to enable certain towns, cities, and villages to construct and improve harbors.

No. 177, S.,

An act to improve the south branch of the Eau Claire River, and its tributaries, in Clark county.

No. 15, S.,

An act to provide for the publication of the transactions of the Northern Agricultural and Mechanical Association.

No. 270, S.,

An act to appropriate a sum of money therein named to pay for additional copies of the Legislative Manual for 1876.

H. J. FLINT,

*Chairman.*

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The Joint Committee on Claims, to which was referred,

No. 292, S.,

A bill to authorize the Governor to purchase the cabinet and library of the late I. A. Lapham.

Have considered the same, and instructed me to report it back to the Senate without recommendation.

No. 276, S.,

A bill to found the Wisconsin Home for the Incurable Insane.

Report the same back with substitute, and recommend the adoption of said substitute.

FRANCIS CAMPBELL,  
*Chairman.*

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The Joint Committee on Claims, to which was referred,

No. 80, S.,

A bill to appropriate to the St. Joseph's Orphan Asylum, of Milwaukee, a sum of money therein named.

No. 81, S.,

A bill to appropriate to the St. Æmelianus Orphans' Asylum, of Milwaukee, a sum of money therein named.

No. 82, S.,

A bill to appropriate to the Home of the Friendless, of Milwaukee, a sum of money therein named.

No. 83, S.,

A bill to appropriate to the St. Rose Orphans' Asylum, of Milwaukee, a sum of money therein named.

No. 84, S.,

A bill to appropriate to the Orphans' Association, of Milwaukee, a sum of money therein named.

No. 86, S.,

A bill to appropriate a sum of money therein named to the Fond du Lac Relief Society for the maintenance of a Home for the Friendless.

No. 87, A.,

A bill to appropriate to the Cadle Home, of Green Bay, \$500.

No. 88, S.,

A bill to appropriate to the St. Luke's Hospital, of Racine, \$500.

No. 99, S.,

A bill to appropriate to the Milwaukee Industrial School a sum of money therein named.

Has had the same under consideration and report the same back, without recommendation.

FRANCIS CAMPBELL,  
*Chairman.*

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The Committee on Internal Improvements, to whom was referred,

No. 150, A.,

A bill to declare Coon River, in the county of Vernon, a navigable stream.

Have had the same under consideration, and respectfully report the same back and ask that it be referred to the Senator from the fourth.

J. B. TREAT,  
*Chairman.*

So ordered.

The Committee on Roads, Bridges, and Ferries, to whom was referred.

No. 22, A.,

A bill to lay out a State road from the city of Chippewa Falls, in Chippewa county, to Medford, in Taylor county, and a road from Westboro, in Taylor county, to intersect the same.

Has had the same under consideration and report the same back with amendment, and recommend its passage when so amended.

J. SCHUETTE,  
*Chairman.*

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### REPORTS OF SELECT COMMITTEES.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Assembly to,

No. 56, S.,

A bill authorizing counties, towns, cities, and villages to make appropriations for celebrating the Centennial year of the nation's existence.

Have met, and after a full and free conference, have agreed to, and do recommend, that the Assembly recede from its amendment.

R. J. FLINT,  
GEO. E. BRYANT,  
J. A. BARNEY,

*Managers on part of Senate.*

M. GRIFFIN,  
PETER FAGG,  
EDWARD KEOGH,

*Managers on part of Assembly.*

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The select committee, to which was referred,

No. 352, A.,

A bill to provide for court commissioners in Milwaukee county.

Has had the same under consideration, and report it back with the recommendation that it be indefinitely postponed.

JOHN L. MITCHELL,  
*Committee.*

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 13, A.,

A bill to amend sections 1 and 12, of chapter 186, of general laws 1861, entitled, "an act providing for a lien for labor and service

upon logs and lumber in the county of Chippewa," and to repeal chapter 186, of the laws of 1874, entitled, "an act to amend chapter 186, of the general laws of 1861, entitled, an act providing for a lien for labor and service upon logs and lumber in the county of Chippewa."

No. 342, A.,

A bill to detach certain territory from the city of Shawano, and attach the same to the town of Richmond, Shawano county, Wisconsin.

No. 377, A.,

A bill for the payment of certain moneys for legal services in enforcing chapter 273, laws of 1874.

And has concurred in Senate amendment to,

No. 44, A.,

A bill to revise the charter of the city of Chippewa Falls.

And has amended and concurred in as amended,

No. 108, S.,

A bill to authorize the trustees of the State library to donate duplicate volumes to the Milwaukee Law Library Association.

And has amended the title so as to read as follows:

A bill to provide for the disposition of duplicate volumes in the State library.

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#### ASSEMBLY MESSAGE CONSIDERED.

No. 13, A.,

Was referred to the Committee on Judiciary.

Nos. 342 and 377, A.,

Were referred to the general file.

No. 388, A.,

Was referred to the Committee on Roads, Bridges, and Ferries.

The amendments to,

No. 108, S.,

Were concurred in.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk, thereof:

Mr. PRESIDENT:—I am directed by the Assembly to return to the Senate for further consideration,

No. 236, A.,

A bill to amend chapter 184, laws of 1874, entitled, an act to revise and consolidate and amend the charter of the city of Milwaukee, and the several acts amendatory thereof.

And I am directed to request the return of,

No. 156, S.,  
A bill relating to the Supreme Court,  
For reconsideration.  
Said bill 156, S., was returned to the Assembly as requested.

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On motion of Senator Bryant.  
The Assembly was requested to return to the Senate, for further consideration,  
No. 156, S.,  
A bill relating to the Supreme Court.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof :  
MR. PRESIDENT:—I am directed to return you,  
No. 156, S.  
A bill relating to the Supreme Court.  
As requested.

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The chair directed the ayes and nays to be taken on the passage of

No. 156, S.,  
A bill relating to the Supreme Court.  
Said bill having been previously passed without the ayes and nays.  
The roll being called,  
The bill was passed by the following vote:  
Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Potter, Rounds, Ryan, Schuette, Scott, Silverthorn, Treat, and Wilmot—28.

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#### RESOLUTIONS CONSIDERED.

Jt. Res. No. 6, A.,  
Tendering thanks to the President of the United States, and other officers.

The question being on the adoption of the amendment offered by Senator Hudd,

Senator Hudd offered the following amendment to the amendment: Add after the words "let no guilty man escape." "but let them resign with regret, as in the case of Secretary Belknap."

Senator Barney moved to lay the resolution with pending amendments on the table,

Which motion was lost by the following vote:

Ayes—Senators Barney, Cavanagh, R. E. Davis, Eastman, Hudd, Jacobs, McFarland, Mitchell, Reed, Ryan, Silverthorn, and Wilmot—12.

Nays—Senators Baker, Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Nevins, Potter, Rounds, Schuette, Scott, Tate, Treat, and Welch—21.

The amendment to the amendment was then rejected by the following vote:

Ayes—Senator Eastman—1.

Nays—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Hudd, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot—20.

Senator Hudd then offered the following amendment to the amendment:

Amend by adding: *Resolved further*, That we disapprove of the act of President Grant in accepting the resignation of late Secretary of War Belknap "with regret," as expressed in the letter of President Grant accepting the resignation of said late Secretary of War, after charges had been made against the official honesty of said secretary.

The amendment was adopted.

Senator Barron offered the following amendment: Strike out all after the word "after," in the last part of the substitute, as amended, and insert: "In case the President was in possession of the charges made or pending against Secretary Belknap; but in the opinion of this Senate and Assembly there is no evidence before the country that the President knew of such charges.

The amendment to the amendment was adopted by the following vote:

Ayes—Senators Baker, Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Nevins, Potter, Schuette, Scott, Tate, and Treat—19.

Nays—Senators Barney, Cavanagh, R. E. Davis, Eastman, Hudd, Jacobs, McFarland, Mitchell, Reed, Ryan, Silverthorn, and Welch—12.

The amendment to the resolution as amended was then rejected. On motion of Senator Barden,

The further consideration of the resolution was postponed until Saturday.

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#### ASSEMBLY BILLS READY FOR A THIRD READING.

No. 161, A.,

A bill to amend chapter 67, of the revised statutes, relating to cemetery associations and town cemeteries.

No. 241, A.,

A bill to amend chapter 199, of the private and local laws of 1859, entitled, "an act to establish a municipal court in the city and county of Milwaukee."

No. 291, A.,

A bill to amend chapter 184, of laws 1874, entitled, an act to revise, consolidate, and amend the charter of the city of Milwaukee.

No. 299, A.,

A bill to permit school districts in Marathon county to be divided, and new districts formed.

No. 369, A.,

A bill to amend an act entitled, an act to revise and consolidate an act entitled, an act to incorporate the Wisconsin Valley Railroad Company, and the various acts amendatory thereto, approved March 16, 1871.

No. 382, A.,

A bill to authorize the common council of Milwaukee to levy and collect a special tax on the first and seventh wards of said city, for the purpose of enlarging and establishing a hay and wood market in said first ward.

No. 385, A.,

A bill relating to the game laws in Milwaukee county.

Were severally read a third time and concurred in.

No. 274, A.,

A bill to appropriate money to the State Hospital for the Insane, for the removal of patients to the Northern Hospital, and for other purposes.

Was read a third time and concurred in by the following vote:

Ayes—Senators Baker, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, and Treat—30.

Nays—0.

No. 183, A.,

A bill to appropriate to James Quirk the sum of money therein named.

Was read a third time and concurred in by the following vote:

Ayes—Senators Baker, Barney, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, McFarland, Mitchell, Nevins, Reed, Ryan, Schuette, Scott and Tate—23.

Nays—Senators Potter, Rounds, Treat, Welch, and Wilmot—5.

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### SENATE BILLS ON THEIR THIRD READING.

No. 118, S.,

A bill to appropriate to Reuben May a sum of money to cover his expenses in contested election case.

Was read a third time and passed by the following vote:

Ayes—Senators Baker, Barney, Barron, Blair, Bryant, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Rounds, Ryan, Schuette, Scott, Silverthorn, and Treat—26.

Nays—Senators Campbell, Hathaway, Potter, and Welch—4.

No. 242, S.,

A bill to appropriate a certain sum of money therein named to J. Henry Tate.

Was read a third time and passed by the following vote:

Ayes—Senators Baker, Barney, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Rounds, Ryan, Schuette, Scott, Silverthorn, and Treat—25.

Nays—Senators Barden, Farr, Potter, and Welch—4.

No. 203, S.,

A bill to amend section 3, of chapter 299, of the private and local laws of 1870, entitled, "an act to define certain rights and duties of the Beef Slough Manufacturing, Booming, Log-Driving, and Transportation Company."

Was read a third time and passed.

And the title amended so as to read as follows:

A bill to authorize John Duncan, Ed. Williams, and S. Taylor to maintain a dam on Silver Creek.

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#### SENATE BILLS ON THEIR ENGROSSMENT.

No. 228, S.,

A bill to amend certain sections of chapter 13, of the revised statutes, entitled, of counties and county officers.

Was ordered engrossed for a third reading.

The amendments to,

No. 136, S.,

A bill to provide for the rebuilding of a portion of the Institute for the Education of the Blind, and to appropriate a sum of money therein named for that purpose.

Were adopted.

And, on motion of Senator H. N. Davis,

The rules were suspended and the bill was read a third time and passed by the following vote:

Ayes—Senators Baker, Barney, Barron, Blair, Bryant, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Reed, Rounds, Ryan, Scott, Silverthorn, and Tate—26.

Nays—Senators Barden, Potter, Schuette, Treat, and Welch—5.

The amendments to,

No. 295, S.,

A bill relating to the publication of local laws.

Were adopted.



And, on motion of Senator Welch,  
The rules were suspended and the bill was read a third time and passed, by the following vote:

Ayes—Senators Baker, Campbell, Cavanagh, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, Reed, Ryan, Schuette, Scott, Treat, and Welch—17.

Nays—Senators Barden, Barney, Blair, Bryant, Eastman, McFarland, Mitchell, Nevins, Silverthorn, Tate, and Wilmot—11.

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On motion of Senator Reed,  
The rules were suspended, and,  
No. 256, S.,  
A bill to provide for the election of justices of the peace, in the city of Watertown.  
Was read a third time and passed.

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No. 211, S.  
A bill to confer upon Christian Buckhardt, his heirs and assigns, certain franchises upon Willow River, St. Croix county.  
Was referred to a select committee, consisting of Senator Barron.

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On motion of Senator Barron,  
No. 201, S.,  
A bill relating to hawkers and peddlers, and amendatory of chapter 72, laws of 1870.  
Was made the special order for this evening.

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Mem. No. 37, S.,  
Of Sarah Jane Farr, in respect to a patent for land issued to her by the State of Wisconsin.  
Was indefinitely postponed.

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On motion of Senator R. E. Davis,  
The Senate adjourned.

7½ O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The President *pro tem.* presiding.

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### RESOLUTIONS INTRODUCED.

By Senator Barron:

Res. No. 52, S.,

*Resolved*, That the State Printer is respectfully requested to print the apportionment bill.

No. 298, S.,

A bill to apportion the State into Senate and Assembly districts.

At as early an hour as possible, to the exclusion of, and in preference to all other matter, and that 500 copies thereof be printed.

The rules were suspended, and the resolution was adopted.

By Senator Barron:

Res. No. 53, S.,

*Resolved*, That the Sergeant-at-Arms is hereby requested to make a requisition in due form on the Superintendent of Public Property for one tumbler, for the use of Senators, visitors and employees; *provided*, that the tumblers in use in the Senate chamber shall at no time exceed two.

The rules were suspended, and the resolution was adopted.

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### REPORTS OF COMMITTEES.

The Committee on Engrossed Bills have examined and find correctly engrossed the following bills:

No. 41, S.,

A bill to authorize the improvement of the Cat Fish River, for the purposes of navigation.

No. 188, S.,

A bill to appropriate to the Superintendent of Public Property the sum therein named, for the use of the State.

No. 257, S.,

A bill in relation to the boundaries of the town of Baldwin, in St. Croix county.

No. 228, S.,

A bill to amend certain sections of chapter 13, of the revised statutes, entitled, "of counties and county officers."

D. E. WELCH,  
Chairman.

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The Committee on Enrolled Bills have examined and found correctly enrolled the following bills:

M. C. No. 3, S.,

Requesting an investigation to be made into the right of Geo. W. Cate to occupy a seat as member of Congress for the 8th district of Wisconsin.

Jt. Res. No. 14, S.,

Proposing an amendment to section 2, of article 8, of the constitution of this State.

No. 178, S.,

An act to improve the north branch of the Eau Claire River, in the county of Clark.

No. 108, S.,

An act to provide for the disposition of duplicate volumes in the State Library.

No. 251, S.,

An act to appropriate to the Governor a certain sum of money therein named for a contingent fund.

R. J. FLINT,  
*Chairman.*

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The Committee on State Affairs, to whom was referred.

No. 74, S.,

A bill to prevent the hunting of deer with dogs.

No. 9, S.,

A bill relating to the preservation of game and amendatory of section 1, of chapter 139, of the general laws of 1875, entitled, an act to amend section 3, of chapter 78, of the general laws of 1867, entitled, "an act for the preservation of game."

No. 179, S.,

A bill to protect wild pigeons in their nesting-places.

No. 244, A.,

A bill to amend section 3, of chapter 78, of the general laws of 1867, entitled, an act for the preservation of game.

No. 246, A.,

A bill for the protection of land owners against the malpractice of incompetent surveyors.

No. 66, A.,

A bill to prevent the hunting of deer with dogs in the counties of Calumet, Outagamie, and Shawano.

No. 9, A.,

A bill to prevent the hunting of deer with dogs in the counties of Oconto and Waupaca.

Respectfully report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that they be indefinitely postponed.

L. W. BARDEN,  
*Chairman.*

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The Committee on Roads, Bridges, and Ferries, to whom was referred,

No. 388, A.,

A bill to repeal chapter 482, of the general and local laws of 1852, entitled, an act to incorporate the Manitowoc and Two Rivers Plank-Road Company.

Have had the same under consideration, and report the same back with the recommendation that it be concurred in.

JOHN SCHUETTE,  
*Chairman.*

On motion of Senator Schuette,

The rules were suspended, and the bill was read a third time and concurred in.

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The Committee on Banks and Banking, to whom was referred,  
No. 330, A.,

A bill for the organization of savings banks and savings societies.

Have had the same under consideration, and instructed me to report the same back with an amendment, and recommend its passage when so amended.

And return to the Senate,  
Mems. No. 137, 151, and 161, S.,

WM. BLAIR,  
*Chairman.*

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The Joint Committee on Claims, to which was referred,  
No. 91, S.,

A bill to appropriate a sum of money to the St. Nazian Society, of Manitowoc.

No. 107, S.,

A bill to provide for the increase of State school money, and to raise an annual State tax for that purpose.

Have had the same under consideration, and report them back with the recommendation that they be indefinitely postponed.

No. 243, A.,

A bill to remit to the county of Douglas a portion of the State tax levied upon that county for the year 1875.

Have had the same under consideration, and report it back with the recommendation that it be indefinitely postponed.

F. CAMPBELL,  
*Chairman.*

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The Committee on State Affairs, to whom was referred,  
No. 135, S.,

A bill for the preservation of fish in Long Lake, in the counties of Barron and Burnett.

No. 265, S.,

A bill relating to the issue of State warrants upon the requisition of the executives of other States.

Respectfully report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that they do pass.

L. W. BARDEN,  
*Chairman.*

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The Committee on Incorporations, to whom was referred,  
No. 244, S.,

A bill to amend chapter 59, of the laws of Wisconsin for 1875, entitled, "an act to incorporate the city of Oconomowoc."

Have had the same under consideration, and instructed me to report it back with amendments in form of a substitute, with the recommendation that the amendments be adopted, and that when so amended the bill do pass.

THOMAS B. SCOTT,  
*Chairman.*

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The Joint Committee on Charitable and Penal Institutions, to which was referred,

No. 333, A.,

A bill to establish a State board of health, to provide for the appointment of a superintendent of vital statistics, and to assign certain duties to local boards of health.

Have had the same under consideration, and have instructed me to report the same back with an amendment, and recommend its passage when so amended.

Mr. Marshall dissenting.

H. N. DAVIS,  
*Chairman.*

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The Committee on the Judiciary to which was referred,  
No. 13, A.,

A bill to amend sections 1 and 12, of chapter 186, of the general laws of 1861, entitled, an act providing for a lien for labor and services upon logs and lumber in the county of Chippewa, and to repeal chapter 186, of the laws of 1874, entitled, an act to amend chapter 186, of the general laws of 1861, entitled, an act providing for a lien for labor and services upon logs and lumber, in the county of Chippewa.

Has had the same under consideration and instructed me to report it back without recommendation.

H. D. BARRON,  
*Chairman.*

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The Committee on Railroads, to which was referred,  
No. 141, S.,

A bill to further provide against injury to life and property.

Has had the same under consideration and report it back with amendments, with the recommendation that it do pass when so amended.

W. H. HINER,  
*Chairman.*

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### REPORTS OF SELECT COMMITTEES.

The select committee of one, to whom was referred,  
No. 186, S.,

A bill to authorize county judges to grant pardons in certain cases.

Has had the same under consideration, and report it back with amendment and the recommendation that it pass when so amended.

H. D. BARRON,  
*Committee.*

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The Committee on Education, to whom was referred,  
No. 294, A.,

A bill to authorize joint school district number 1, of the towns of Wonewoc and Woodland, in the counties of Juneau and Sauk, to borrow money.

Has considered the same, and instructed me to report it back with amendment, and recommend concurrence therein when so amended.

S. L. NEVINS,  
*Chairman.*

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The select committee, to which was referred,  
No. 40, A.,

A bill relating to certain duties of the clerks or their deputies, in the circuit, county, and municipal courts, in the State of Wisconsin.

Has had the same under consideration, and report the same back with an amendment, and recommend that it be concurred in when so amended.

W. H. JACOBS,  
JNO. L. MITCHELL,  
*Committee.*

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The select committee, consisting of the Senators of the seventh and eighteenth districts, to whom was referred,

No. 235, S.,

A bill relating to the publication of the Legislative Manual.

Have had the same under consideration, and report said bill back with amendments, when so amended they recommend its passage.

GEO. W. BRYANT,  
W. H. HINER,

*Committee.*

The select committee, to whom was referred,  
No. 150, A.,

Has had the same under consideration and report it back with an amendment, and recommend that when so amended it do pass.

J. HENRY TATE,  
*Select Committee.*

The amendments were adopted; and,  
On motion of Senator Tate,  
The rules were suspended, and the bill was read a third time and concurred in.

### EXECUTIVE COMMUNICATION.

STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,  
*MADISON, March 9, 1876.*

*To the honorable, the Senate:*

The following entitled bills and joint resolutions, originating in the Senate, have severally received the executive approval, and have been deposited in the office of the Secretary of State:

No. 37, S.,

An act to appropriate to the State Board of Centennial Managers a sum of money therein named.

No. 137, S.,

An act to fix the time of holding the several terms of the circuit court, in the fourth judicial circuit.

No. 207, S.,

An act to amend chapter 59, private and local laws of 1868, entitled, "an act to incorporate the city of Fond du Lac," etc., approved February 14, 1868, and limiting the bringing of actions against the city.

No. 114, S.,

An act to appropriate money to the Outagamie County Agricultural Society.

No. 184, S.,

An act to regulate the license to be paid by railroad companies.

No. 126, S.,

An act to amend section 1, of chapter 84, of the general laws of 1874, entitled, "an act to amend chapter 166, of the general laws of 1869, entitled, an act to repeal chapter 132, of the general laws of 1866, entitled, an act to vest the title of unredeemed lands in counties."

No. 11, S.,

An act to appropriate to the Wisconsin State Agricultural Society a sum of money therein named.

No. 67, S.,

An act for the relief of the estate of John Reynolds, deceased.

No. 75, S.,

An act in relation to attorney's fees in justice court.

No. 95, S.,

An act relating to the Waushara County Agricultural Society, and to appropriate a sum of money therein named.

No. 96, S.,

An act to provide for proving claims in justice courts.

No. 105, S.,

An act to appropriate to the Dodge County Agricultural Society a sum of money therein named.

No. 40, S.,

An act to authorize and require the county clerk of the county of Burnett to make and keep up an abstract of tax-sales.

No. 153, S.,

An act to amend sections 11 and 13, of chapter 243, of the laws of 1874, entitled, "an act relating to the public printing."

No. 183, S.,

An act to authorize the Commissioners of School and University Lands to loan a portion of the trust-funds of the State to the county of Racine.

No. 110, S.,

An act relating to the change of venue in civil cases.

No. 131, S.,

An act to appropriate to the Iowa and Door County Agricultural Societies a sum of money therein named.

No. 140, S.,

An act to authorize Dudley J. Spaulding to maintain dams across the north and south forks of Popple River and Brett Creek, in Clark county.

No. 109, S.,

An act in relation to the organization of towns.

No. 172, S.,

An act to amend chapter 343, of the laws of 1875, entitled, an act to amend chapter 147, of the laws of 1874, entitled, "an act to incorporate the city of Menasha."

No. 64, S.,

An act to appropriate a sum of money therein named for the use of the Institution for the Education of the Blind, for the purpose of paying indebtedness incurred in furnishing the wing of said building with furniture and fixtures.

No. 247, S.,

An act to reconstruct the eleventh judicial circuit, and fix the time for holding the terms thereof.

No. 106, S.,

An act to permanently provide for deficiencies in the University fund income.



No. 229, S.,

An act to provide compensation for indexing and completing the transcribing of the journals of the Senate and Assembly.

No. 128, S.,

An act to authorize the Lake Avenue Company to convey its franchises and property.

No. 35, S.,

An act to amend chapter 247, of private and local laws of 1869, entitled, an act to incorporate the city of Grand Rapids.

No. 63, S.,

An act to provide for the corporation of fire departments in unincorporated villages.

No. 216, S.,

An act relating to the city of Portage, and codifying, consolidating, and amending the act of incorporation, and all acts amendatory thereof.

Jt. Res. No. 19, S.,

Joint Resolution requesting the Governor to invite the Governors of other States to unite in celebrating the completion of the Fox and Wisconsin River Canal.

No. 23, S.,

An act to amend chapter 289, of the general laws of 1873, entitled, "an act to amend chapter 182, of the general laws of 1872, entitled, 'an act to authorize municipal corporations to aid in the construction of railroads.'"

No. 282, S.,

An act in relation to the State library.

No. 190, S.,

An act to amend section 2, of title 3, of chapter 253, of the private and local laws of 1868, entitled, an act to revise and amend chapter 176, of the private and local laws of 1857, entitled, an act to amend an act, entitled, an act to incorporate the city of Beloit, approved March 31, 1856.

No. 283, S.,

An act declaring certain waters of the Kinnikinnick River, in the town of Lake, Milwaukee county, to be navigable waters.

No. 61, S.,

An act to provide for the purchase of 300 copies of Webster's Unabridged Dictionary.

No. 139, S.,

An act to appropriate P. R. Tierney a sum of money therein named.

No. 231, S.,

An act to amend chapter 109, of the general laws of 1874, entitled, an act to provide for the proper safe keeping of the report of the geological survey.

No. 241, S.,

An act to authorize and empower the School Land Commissioners to extend the time for payment of balance of principal on loan to school district No. 2, town of Richland, county of Richland, and State of Wisconsin.

No. 89, S.,

An act to provide for acquiring title to certain pieces of land within the grounds of the State Hospital for the Insane.

No. 199, S.,

An act to amend chapter 228, of the laws of 1875, entitled, "an act to amend chapter 275, of the private and local laws of 1870, entitled, 'an act to incorporate the city of Manitowoc.'"

No. 149, S.,

An act relating to the preparation, publication, and distribution of the final report of the geological survey.

No. 68, S.,

An act to amend section 1, of chapter 323, of the general laws of 1875, entitled, an act to authorize the establishment and maintenance of free high schools.

No. 50, S.,

An act to amend chapter 208, of the general laws of 1875, entitled, an act in relation to the Wisconsin Railroad Farm-Mortgage Land Company.

No. 69, S.,

An act to encourage the construction and maintenance of pontoon-bridges in the State of Wisconsin.

No. 288, S.,

An act to amend chapter 47, laws of 1876, entitled, an act to codify, consolidate, and amend the act to incorporate the city of Appleton, and the several acts amendatory thereof.

No. 239, S.,

An act to amend section 2, of chapter 120, of the general laws of 1862, in relation to county surveyors.

No. 162, S.,

An act in relation to claims against the State presented to either branch of the legislature.

No. 72, S.,

An act to amend chapter 152, of the general laws of 1872, entitled, "an act to authorize the county board of supervisors in the several counties of this State to levy a special tax for county road purposes."

No. 123, S.,

An act to amend section 6, of chapter 134, of the revised statutes, entitled, of executions and proceedings supplementary thereto.

No. 150, S.,

An act to provide for the better care of pauper and destitute children.

No. 200, S.,

An act relating to the redemption of lands sold under decree of foreclosure, and amendatory of section 2, of chapter 195, laws of 1859.

No. 151, S.,

An act to repeal section 15, of chapter 533, of the general laws of 1865, entitled, "an act to accept the grant of lands made to the State of Wisconsin, by act of Congress, approved June 25, 1864, to aid the construction of a military road from Wausau, Marathon

county, to Lake Superior," and to amend section 10, of said chapter 533, by appropriating a sum of money therein named.

No. 260, S.,

An act to amend section 3, of chapter 3, of the general laws of 1871, entitled, "an act to fix the time of holding court in the 11th judicial circuit, and to provide for the appointment of special terms of court, and to dispense with grand and petit jurors at certain terms."

No. 227, S.,

An act to revise, consolidate, and amend the charter of the city of La Crosse, approved February 19, A. D., 1869, and the several acts amendatory thereof.

No. 94, S.,

An act to appropriate a certain sum to the State Historical Society.

No. 223, S.,

An act to amend chapter 45, of the general laws of 1871, entitled, an act to amend section 1, of chapter 53, of the general laws of 1858, entitled, an act for the formation and protection of agricultural societies.

No. 164, S.,

An act relating to actions for the foreclosure of mortgages.

No. 267, S.,

An act relating to actions on undertakings given on appeals to Supreme Court.

No. 175, S.,

An act to legalize certain tax-sales in the county of Chippewa.

No. 192, S.,

An act to authorize the city of La Crosse to build and maintain a bridge across the Mississippi River.

No. 182, S.,

An act for the organization of corporations for benevolent purposes.

No. 117, S.,

An act in relation to new trials in civil and criminal actions.

No. 100, S.,

An act to amend section 1, of chapter 192, of the private and local laws of 1868, entitled, "an act to amend section 1, of chapter 340, of the private and local laws of 1867, entitled, an act to incorporate the Taylor Orphan Asylum."

No. 185, S.,

A bill to authorize the Commissioners of School and University Lands to loan a portion of the trust funds of the State to the county of Wood.

No. 143, S.,

An act to amend chapter 176, of the revised statutes, entitled, of arrests.

No. 158, S.,

An act to establish a municipal court in the city of Wausau and county of Marathon.

No. 113, S.,

An act to amend chapter 303, of the laws of Wisconsin of 1874,

entitled, "an act to facilitate the execution of trusts in certain cases."

No. 147, S.,

An act to allow sheriffs and constables to receive necessary and actual disbursements in certain cases.

No. 133, S.,

An act to amend section 40, of chapter 119, of the general laws of 1872, entitled, an act in relation to railroads and the organization of railroad companies.

H. LUDINGTON,  
*Governor.*

### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof :

MR. PRESIDENT:—I am directed to inform you that the Assembly has concurred in,

No. 146, S.,

A bill to provide for the more efficient protection from trespassers of certain lands embraced in the grants made by Congress to the State of Wisconsin by acts approved respectively June 3, 1856, and May 5, 1864, and of the timber standing and growing thereon.

No. 277, S.,

A bill to authorize the State Board of Charities and Reform to transfer insane persons from one hospital to another, in certain cases.

No. 159, S.,

A bill relating to the Senate and Assembly journals.

No. 281, S.,

A bill to enable the boards of supervisors of the towns of Loraine and Milltown, in the county of Polk, to issue bonds to settle their present indebtedness.

No. 293, S.,

A bill to amend section 76, of chapter 7, of the revised statutes, entitled, of general and special elections, and the manner of conducting the same.

No. 212, S.,

A bill to legalize the salary of the register of deeds of the county of Barron.

No. 189, S.,

A bill to incorporate the Firemen's Association, of the city of Menasha.

No. 124, S.,

A bill to amend sections 4 and 5, of chapter 164, of the private and local laws of 1870, entitled, "an act to amend chapter 452, of the private and local laws of 1859, entitled, 'an act to incorporate the Nimakogan and Totogatic Dam Company.'"

No. 144, S.,

A bill to adjust and settle the salaries of and allowances to certain county officers of Burnett county.

No. 160, S.,

A bill to amend chapter 184, laws of 1875, relating to highways and bridges.

No. 255, S.,

A bill to amend chapter 113, of the private and local laws of 1867, and chapter 402, of the private and local laws of 1869, relating to the village of Shullsburg.

No. 236, S.,

A bill to amend section 1, of chapter 299, of the general laws of 1873, entitled, an act to amend chapter 56, general laws of 1870, entitled, an act to provide for the incorporation and government of fire and inland navigation insurance companies.

No. 237, S.,

A bill to authorize the directors of the Wisconsin State Prison to lease the labor of convicts therein confined.

M. C. No. 9, S.,

Memorial to Congress for an appropriation to improve the navigation of the St. Croix River.

M. C. No. 11, S.,

Relating to the harbors of Two Rivers and Manitowoc.

M. C. No. 12, S.,

To provide fish-ways at the dams and locks of the Fox River, in the State of Wisconsin.

M. C. No. 14, S.,

For amendments to the patent-laws.

M. C. No. 15, S.,

For an increase of mail service along mail-route No. 25,151, from Lake Five, to Hartford, in Washington county, Wisconsin.

No. 43, S.,

A bill relating to equalization and assessment of taxes in the city of Grand Rapids.

No. 191, S.,

A bill to amend chapter 133, of private and local laws of 1875, entitled, "an act to consolidate and amend the act to incorporate the city of Kenosha, and the several acts amendatory thereof."

No. 261, S.,

A bill to amend sections 1, 2, and 3, of chapter 299, of the laws of Wisconsin of 1875, entitled, "an act to prescribe the duties and regulate the fees of the lumber inspector of the fourth district."

No. 49, S.,

A bill relating to registration of electors and amendatory of section 1, of chapter 232, of the general laws of 1875.

No. 127, S.,

A bill to amend chapter 171, of the private and local laws of 1868, entitled, "an act to amend chapter 30, of the private and local laws of 1853, entitled, 'an act to incorporate the Wisconsin River Improvement Company, and to amend chapter 171, of the private and local laws of 1866, amendatory thereof.'"

No. 194, S.,

A bill to authorize the building and maintaining a dam in the Wisconsin River in the city of Portage.

No. 44, S.,

A bill to authorize the board of trustees of the village of Viroqua to remove and re-inter the remains of persons buried in the old burying-ground.

No. 111, S.,

A bill to amend chapter 223, of the laws of Wisconsin of 1875, entitled, "an act to lay out and establish a State road from the village of St. Croix Falls, in Polk county, to and intersecting State road established from New Richmond to Ashland."

No. 195, S.,

A bill to amend chapter 213, of the laws of 1873, entitled, "an act authorizing the construction of a levee along the Wisconsin River, in the counties of Columbia and Sauk."

No. 226, S.,

A bill to attach Lincoln county to the eighth congressional district, and to organize the towns of Corning and Pine River therein.

No. 268, S.,

A bill to require village and city authorities to construct vaults, or structures, for temporary keeping of dead bodies before interment in certain cases.

No. 245, S.,

A bill for the preservation of fish in Lake Marion, Dane county.

No. 238, S.,

A bill to amend section 1, of chapter 33, of the general laws of 1874, relating to permanent land-marks.

No. 240, S.,

A bill relating to the powers of county boards of supervisors.

No. 251, S.,

A bill to appropriate to the Governor a certain sum of money for a contingent fund.

No. 157, S.,

A bill to appropriate a sum of money for the purchase of books for the State library.

No. 296, S.,

A bill relating to the distribution of the Senate and Assembly journals, and other documents.

No. 116, S.,

A bill to amend chapter 86, laws of 1872, entitled, an act conferring jurisdiction on the county court of Dodge county.

No. 180, S.,

A bill to authorize the Secretary of State to order the binding of the report of the State Board of Charities and Reform.

No. 204, S.,

A bill to legalize the acts of Bethany S. Phillips, a notary public, of Eau Claire county.

And has amended, and concurred in as amended.

No. 121, S.,

A bill to amend chapter 80, of the general laws of 1872, entitled, "an act authorizing cities and villages to establish free public libraries and reading rooms."

No. 73, S.,

A bill to authorize John P. Jacobson to erect and maintain a dam in Burnett county.

No. 5, S.,

A bill to authorize and empower Leonard Guenther to erect and maintain a system of piers and booms on the Wisconsin River, in the town of Knowlton, Marathon county.

No. 12, S.,

A bill to facilitate the artificial propagation and preservation of fish, and appropriating a certain sum therein named for that purpose, and to purchase a site for a State hatching-house, and the erection thereof.

No. 18, S.,

A bill to appropriate a sum of money therein named for the use of the Wisconsin Hospital for the Insane, for the payment of current expenses, for repairs and improvements, and for deficiencies.

No. 20, S.,

A bill to appropriate a sum of money therein named for the use of the Northern Hospital for the Insane, for the payment of current expenses and for improvements.

And refuses to concur in,

No. 148, S.,

A bill to confer on certain associations of the citizens of the State of Wisconsin the powers and immunities of corporations and bodies politic in law.

No. 233, S.,

A bill to submit to the people an amendment to section 23, of article 4, of the constitution of the State of Wisconsin.

No. 252, S.,

A bill relating to the issue of State warrants.

No. 259, A.,

A bill to provide for the payment of costs arising from actions brought in the name of the State by a special treasury-agent.

No. 287, S.,

A bill to amend section 3, of chapter 292, of the laws of Wisconsin, of 1873, entitled, "an act to provide for a complete geological survey of Wisconsin, and to repeal chapter 137, of the general laws of 1870, entitled, an act to provide for the survey of the lead district, making maps and collecting statistics from the same, and chapter 136, of the general laws of 1872, amendatory thereof.

No. 169, S.,

A bill relating to county roads and amendatory of section 132, of chapter 152, of the general laws of 1869, entitled, "an act to codify the laws of this State, relating to highways and bridges."

No. 269, S.,

A bill to amend section 29, chapter 56, general laws of 1870, entitled, an act to provide for the incorporation and government of fire and inland navigation insurance companies.

## ASSEMBLY MESSAGE CONSIDERED.

The amendments to,  
Nos. 121 and 12, S.,  
Were concurred in.

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The amendment to,  
No. 18, S.,  
Was concurred in by the following vote:  
Ayes—Senators Baker, Barney, Barron, Blair, Bryant, Campbell,  
H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint,  
Hathaway, Jacobs, McFarland, Mitchell, Nevins, Rounds, Ryan,  
Schuette, Tate, Treat, and Wilmot—24.  
Nays—Senators Barden and Potter—2.

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The amendments to,  
No. 20, S.,  
Were concurred in by the following vote:  
Ayes—Senators Baker, Barney, Barron, Blair, Bryant, Campbell,  
H. N. Davis, R. E. Davis, Douglas, Downs, Farr, Flint, Hathaway,  
Hudd, Jacobs, McFarland, Mitchell, Nevins, Reed, Rounds, Ryan,  
Schuette, Scott, Silverthorn, Tate, Treat, and Wilmot—27.

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## THE SPECIAL ORDER.

No. 20<sup>1</sup>, S.,  
A bill relating to hawkers and peddlers, and amendatory of chap-  
ter 72, of the laws of 1870.

Being the special order for this hour,

Was taken up.

Senator Hudd moved to indefinitely postpone the bill.

Which motion was lost by the following vote:

Ayes—Senators Baker, Barden, Barney, H. N. Davis, Downs,  
Farr, Hiner, Hudd, McFarland, Mitchell, Rounds, Ryan, Silver-  
thorn, Tate, and Wilmot—15.

Nays—Senators Barron, Blair, Bryant, Campbell, Cavanagh,  
Douglas, Flint, Hathaway, Jacobs, Nevins, Potter, Schuette, Scott,  
Treat, and Welch—15.

Senator Hiner moved to lay the amendment to the bill on the  
table.

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Senator Barron moved a

## A CALL OF THE SENATE.

The call being seconded, the roll was called, and all Senators  
were found to be present except Senators R. E. Davis and Reed.



The Sergeant-at Arms was instructed to procure the attendance of the absentees.

The Sergeant-at-Arms reported the absentees present.

Senator Hiner's motion to lay on the table then prevailed by the following vote:

Ayes—Senators Baker, Barden, Barney, H. N. Davis, R. E. Davis, Downs, Eastman, Farr, Hiner, Hudd, McFarland, Mitchell, Reed, Rounds, Ryan, Silverthorn, Tate, and Wilmot—18.

Nays—Senators Barron, Blair, Bryant, Campbell, Cavanagh, Douglas, Flint, Hathaway, Jacobs, Nevins, Potter, Schuette, Scott, Treat, and Welch—15.

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No. 122, S.,

A bill to extend the time for settlers upon certain land-grant lands to acquire title thereto.

Senator Barron offered a substitute.

The substitute was adopted; and,

On motion of Senator Barron,

The rules were suspended, and the bill was read a third time and passed.

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#### SENATE BILLS READY FOR ENGROSSMENT.

The amendments to,

No. 244, S.,

A bill to amend chapter 59, of the laws of Wisconsin, for 1875, entitled, an act to incorporate the city of Oconomowoc.

Were adopted.

And the bill was ordered engrossed for a third reading.

The amendments to,

No. 294, S.,

A bill to appropriate a sum of money therein named to the directors of the State Prison for the purpose of providing hospital accommodations for the criminal insane within the prison.

Were adopted.

Senator Reed offered the following amendment:

Amend by inserting the words stricken out in the substitute submitted by the Committee on Claims.

The amendment was rejected.

The bill was then ordered engrossed for a third reading.

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No. 115, S.,

A bill to establish the salaries of State officers.

Senator Barron offered the following amendment:

Add after the words, "university lands," where they occur, the words, "and all fees received by him as Commissioner of Insurance."

The amendment was adopted.  
On motion of Senator R. E. Davis,  
This bill, with No. 166, S.,  
Were postponed until to-morrow morning.

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### REPORTS OF COMMITTEES.

The Joint Committee on the re-apportionment of the State into Senate and Assembly districts, has had the subject under consideration, and instructed me to report by bill, which bill is herewith submitted, Senator Hudd, and Assemblymen Keogh and Wall dissenting.

H. D. BARRON,  
*Chairman.*

Said bill became,  
No. 298, S.,  
A bill to apportion the State into Senate and Assembly districts,  
Placed in the general file.

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk, thereof:

MR. PRESIDENT:—I am directed to return you corrected, as requested.

No. 5, S.,

A bill to authorize and empower Leonard Guenther to erect and maintain a system of piers and booms in the Wisconsin River in the town of Knowlton, Marathon county.

No. 73, S.,

A bill to authorize John P. Jacobson to erect and maintain a dam in Burnett county.

Said bills having been concurred in without amendment.

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On motion of Senator R. E. Davis,  
The Senate adjourned.

FRIDAY, MARCH 10, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

Prayer by the Rev. Dr. Wilkinson.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barney, Barden, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, Welch, and Wilmot.

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Senator Barron moved that when the Senate adjourn, it be until 2 o'clock p. m., and that,

No. 298, S.,

A bill to apportion the State into Senate and Assembly districts.

Be made the special order for that hour, to remain so until finally disposed of.

The ayes and nays being called for, the motion was lost by the following vote:

Ayes—Senators Baker, Barron, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Farr, Hathaway, Hiner, Nevins, Rounds, and Treat—14.

Nays—Senators Barden, Barney, Cavanagh, R. E. Davis, Eastman, Jacobs, McFarland, Mitchell, Reed, Ryan, Schuette, Scott, Silverthorn, Welch, and Wilmot—15.

Senator Barron then moved that when the Senate adjourn, it be until 7:30 p. m., and that,

No. 298, S.,

A bill to apportion the State into Senate and Assembly districts.

Be made the special order for that hour, and to remain so until finally disposed of.

Which motion prevailed.

Senator Bryant presented the following communication:

*To the Honorable, the Senate and Assembly of the State of Wisconsin:*

On behalf of the trustees of the Wisconsin State Hospital for the Insane, the undersigned beg leave to state; that the peculiar wording of the appropriation bill recently passed, places the hospital in an unfortunate and helpless condition.

In 1873, an appropriation was made for the current expenses of said year, and for the month of January 1874. In 1874, an appropriation was made for the year 1874, which was intended and used for the current expenses of the remainder of that calendar year.

In 1875, an appropriation was made for the current expenses of the year 1875, which appropriation was all drawn and expended during that calendar year, besides leaving a small deficit for December last, unprovided for. By the bill recently passed, an appropriation of \$51,700 is made for the current expenses "for the year ending March 1, 1877," leaving the months of January and February, 1876, entirely unprovided for. The current expenses of those two months just passed, as near as can at present be ascertained, amount to \$16,361.70, and there is no appropriation from which a single dollar can be drawn to pay the same.

Under such embarrassing circumstances, the undersigned are unable to see how the necessities of the hospital are to be provided for, without the trustees borrow that amount of money, which will work a loss to the State and the institution of not less than \$1,600 for interest.

During the progress of the bill through both Houses, and before committees, every reasonable and proper effort has been made to bring about an amendment covering those two months, but without success. The last effort was by the Senate to amend the Assembly amendment, which was adopted, but subsequently reconsidered and rejected, leaving the bill in the condition above stated.

We deem it proper to make this statement, that the legislature may understand the crippled condition in which the hospital is thus unintentionally placed.

Respectfully submitted,

SIMEON MILLS,  
ANDREW PROUDFIT,  
*Trustees.*

Ordered spread on the journal, and referred to the Committee on Charitable and Penal Institutions.

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The President presented a communication from a portion of the Milwaukee Delegation, in reference to certain bills,  
Which was referred to Senator Mitchell and Jacobs.

## REPORTS OF COMMITTEES.

The Committee on Engrossed Bills have examined and find correctly engrossed the following bills:

No. 294, S.,

A bill to appropriate a sum of money therein named to the directors of the State Prison for the purpose of providing hospital accommodations for the criminal insane within the prison.

No. 244, S.,

A bill to amend chapter 59, of the laws of Wisconsin, for 1875, entitled, an act to incorporate the city of Oconomowoc.

D. E. WELCH,

*Chairman.*

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The Committee on Enrolled Bills have examined and find correctly enrolled the following bills:

No. 159, S.,

An act relating to the Senate and Assembly journals.

No. 293, S.,

An act to amend section 76, of chapter 7, of the revised statutes, entitled, of general and special elections, and the manner of conducting the same, and the canvass.

No. 277, S.,

An act to authorize the State Board of Charities and Reform to transfer insane persons from one hospital to another, in certain cases.

No. 43, S.,

An act relating to the equalization and assessment of taxes in the city of Grand Rapids.

No. 111, S.,

An act to amend chapter 123, of the laws of Wisconsin of 1875, entitled, "an act to lay out and establish a State road from the village of St. Croix Falls, in Polk county, to and intersecting State road established from New Richmond to Ashland."

No. 226, S.,

An act to attach Lincoln county to the eighth congressional district, and to organize the towns of Corniog and Pine River therein.

No. 90, S.,

An act to authorize incorporated villages to lay out, open, change, extend, and widen public squares, grounds, highways, streets, and alleys.

R. J. FLINT,

*Chairman.*

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The Joint Committee on Claims to which was referred,

No. 297, S.,

A bill in recognition of a certain claim against the State, and to appropriate money in settlement thereof, and for other purposes.

Have considered the same and instruct me to report it back to the Senate, and recommend that it be indefinitely postponed.

FRANCIS CAMPBELL,  
*Chairman.*

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### REPORT OF SELECT COMMITTEE.

The select committee, to whom was referred,  
No. 378, A.,

A bill to provide for an abstract of tax titles, in the county of Waushara, and amendatory of chapter 123, of the private and local laws of 1867.

Has had the same under consideration, and instructed me to report the same back with the recommendation that it be indefinitely postponed; the committee being of the opinion, that the bill is in conflict with the amendments to the constitution.

R. L. D. POTTER,  
*Committee.*

On motion of Senator Potter,  
The rules were suspended, and the bill was indefinitely postponed.

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof :

MR. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 153, A.,

A bill to amend chapter 467, of the private and local laws of the year 1869, entitled, an act to incorporate the Family Protective Association of Milwaukee.

No. 250, A.,

A bill to establish a public highway in Oconto county.

No. 315, A.,

A bill to amend section 2, of chapter 89, of the general laws of 1872, entitled, "an act relating to general elections."

No. 353, A.,

A bill to fix a salary for the sheriff of Milwaukee county.

No. 416, A.,

A bill to increase the efficiency of school supervision, and provide just compensation therefor.

No. 233, A.,

A bill to amend an act entitled, an act to authorize the construction of a dam across Rock River, approved February 21, 1848, as amended by chapter 214, of the laws of 1850.

No. 367, A.,

bill to amend chapter 288, laws of 1874 entitled, an act to au-

thorize Daniel Shaw and his associates to improve Thorn-Apple River, for log-driving purposes.

No. 336, A.,

A bill to appropriate a sum of money to the Southwestern Wisconsin Agricultural and Industrial Association, for the purpose of printing the transactions of said society.

No. 417, A.,

A bill to appropriate to Joseph Bennett a sum of money therein named.

No. 17, A.,

A bill to repeal chapter 67, laws of 1871, entitled, "an act to encourage the raising of sheep and discourage the raising of dogs."

No. 86, A.,

A bill to provide for the incorporation of religious societies.

No. 186, A.,

A bill to authorize the judge of the fifth judicial circuit to employ a short-hand reporter.

Jt. Res. No. 5, A.,

Regarding the appointment of a commission to inquire into the feasibility of removing the State Prison.

And has concurred in Senate amendments to,

No. 98, A.,

A bill to amend, and re-enact as amended, chapter 333, of the laws of 1875, entitled, an act to amend chapter 16, of the private and local laws of 1872, entitled, an act to incorporate the city of Eau Claire, so as to authorize the construction of water-works by and for said city.

No. 230, A.,

A bill to legalize the acts of the commissioners appointed by chapter 104, of the laws of 1874, entitled, an act to lay out and establish a State road from the village of Woodstock, Richland county, Wisconsin, *via* the village of Debello, Vernon county, Wisconsin, to Wonewoc, Juneau county, Wisconsin.

And has refused to concur in Senate amendments to,

No. 413, A.,

A bill to appropriate to Taylor S. Hayhurst a sum of money therein named.

No. 327, A.,

A bill to appropriate to George Graham a sum of money.

And asks for a committee of conference on the same on the part of the Senate. The committee on the part of the Assembly is Messrs. M. Griffin, Fink, and White.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk, thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has concurred in,

No. 234, S.,

A bill relating to the circuit court of the county of Winnebago.

And has refused to concur in Senate amendment to,

No. 235, A.,

A bill in relation to the publication of legal notices.

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof :

MR. PRESIDENT:—I am directed to request the return of,

No. 148, S.,

A bill to confer on certain associations of the citizens of the State of Wisconsin, the powers and immunities of corporations, and bodies politic in law.

For further consideration.

Said bill was ordered returned to the Assembly.

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### ASSEMBLY MESSAGE CONSIDERED.

Nos. 17, 153, 336, 353, 417, and Jt. Res. No. 5, A.,

Were referred to the general file.

No. 250, A.,

Was referred to the Committee on Roads, Bridges, and Ferries.

Nos. 86 and 315, A.,

Was referred to the Committee on State Affairs.

Nos. 233 and 367, A.,

Were referred to the Committee on Incorporations.

No. 416, A.,

Was referred to the Committee on Education.

No. 186, A.,

Was referred to the Committee on Judiciary.

The Senate agreed to the committee of conference on,

Nos. 327 and 413, A.,

And the President appointed as such committee, on the part of the Senate, Senators Welch, Barney, and Treat.

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### RESOLUTIONS CONSIDERED.

Jt. Res. No. 23, S.,

Relating to the location of the State Prison and a Hospital for the Incurable Insane.

Senator Barden offered the following amendments to the resolution:

Amend the first resolution by striking out the words "and pur-



chase the same, and the Governor shall draw his warrant on the State Treasurer, and pay for the lands so selected, taking a warranty deed in the name of the State of Wisconsin," and insert, "and select a suitable site, and the price for which the same can be purchased, stating number of acres of land and the cost per acre of the same, together with the reasons governing the committee in making such selections."

Amend the second resolution by striking out the same words as in the first resolution, and insert the same words as proposed to be inserted in the first resolution.

Which amendment was adopted,

And the resolution as amended was adopted.

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### SENATE BILLS ON THEIR THIRD READING.

No. 228, S.,

A bill to amend certain sections of chapter 13, of the revised statutes, entitled, of counties and county officers.

Was read a third time and passed,

No. 244, S.,

A bill to amend chapter 59, of the laws of Wisconsin for 1875, entitled, "an act to incorporate the city of Oconomowoc."

Were read a third time and passed.

And the title was amended so as to read as follows:

A bill authorizing cities to make appropriations for celebrating the 4th of July, 1876.

No. 257, S.,

A bill in relation to the boundaries of the town of Baldwin, in St. Croix county.

Was read a third time and passed,

And the title was amended so as to read as follows:

A bill relating to jurors in the courts of Milwaukee county.

No. 41, S.,

A bill to amend chapter 273, laws of 1874, entitled, "an act relating to railroads, express, and telegraph companies in the State of Wisconsin."

Was read a third time and passed.

And the title amended so as to read as follows:

A bill to authorize the improvement of the Catfish River, for the purpose of navigation.

No. 294, S.,

A bill to appropriate a sum of money therein named to the directors of the State Prison for the purpose of providing hospital accommodations for the criminal insane within the prison.

Was read a third time and passed by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, Douglas, Downs, Eastman, Hathaway, Hiner, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, and Treat—27.

And the title amended so as to read as follows:

A bill to appropriate a sum of money therein named to the directors of the State Prison for the purpose of providing hospital accommodations for criminal insane within the prison, and to reimburse the prison for goods furnished the State of Wisconsin.

No. 188, S.,

A bill to appropriate to the Superintendent of Public Property the sum therein named, for the use of the State.

Was read a third time and passed by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Flint, Hathaway, Hiner, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Tate, Treat, Welch, and Wilmot—30.

Nays—0.

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### SENATE BILLS ON THEIR ENGROSSMENT.

No. 166, S.,

A bill to provide for the safe-keeping of public moneys, and the investment of surplus funds.

Senator R. E. Davis offered the following amendment:

Strike out "April, 1876," and insert, "first Monday in January, 1878."

The amendment was adopted.

And the bill was ordered engrossed for a third reading.

No. 115, S.,

A bill to establish the salaries of State officers.

Senator Schuette offered the following amendment:

Amend by striking out "5000," where it occurs in section 3, and insert "7000."

Which amendment was rejected by the following vote.

Ayes—Senators Baker, Barney, Bryant, Farr, Jacobs, Mitchell, Schuette, Scott, and Tate—9.

Nays—Senators Barden, Barron, Blair, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Flint, Hathaway, Hiner, McFarland, Nevins, Potter, Reed, Ryan, Silverthorn, Welch and Wilmot—21.

And the bill was ordered engrossed for a third reading by the following vote:

Ayes—Senators Baker, Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Flint, Hathaway, Hiner, McFarland, Mitchell, Nevins, Potter, Rounds, Scott, Treat and Welch—22.

Nays—Senators Barney, Cavanagh, Farr, Jacobs, Reed, Ryan, Schuette, Silverthorn, Tate, and Wilmot—10.

M. C. No. 16, S.,

For the completion of the improvement of the Wisconsin and Fox Rivers.

No. 135, S.,

A bill for the preservation of fish in Long Lake in the counties Barron and Burnett.

No. 165, S.,

A bill in relation to the assessment and collection of taxes.

No. 229, S.,

A bill to provide for the numbering consecutively of instruments or writings offered for record or to be filed in the office of registers of deeds.

Were severally ordered engrossed for a third reading.

The amendments to,

No. 141, S.,

A bill to further provide against injury to life and property upon railways.

No. 186, S.,

A bill to authorize county judges to grant pardons in certain cases.

No. 276, S.,

A bill to found the Wisconsin Home for the Incurable Insane.

Were adopted,

And said bills were severally ordered engrossed for a third reading.

No. 80, S.,

A bill to appropriate to the St. Joseph's Orphan Asylum, of Milwaukee, a sum of money therein named.

No. 81, S.,

A bill to appropriate to the St. Æmelianus Orphans' Asylum, of Milwaukee, a sum of money therein named.

No. 82, S.,

A bill to appropriate to the Home of the Friendless, of Milwaukee, a sum of money therein named.

No. 83, S.,

A bill to appropriate to the St. Rose Orphans' Asylum, of Milwaukee, a sum of money therein named.

No. 84, S.,

A bill to appropriate to the Orphans' Association, of Milwaukee, a sum of money therein named.

No. 99, S.,

A bill to appropriate to the Milwaukee Industrial School a sum of money therein named.

No. 86, S.,

A bill to appropriate a sum of money therein named to the Fond du Lac Relief Society for the maintenance of a Home for the Friendless.

No. 87, S.,

A bill to appropriate to the Cadle Home, of Green Bay, \$500.

No. 88, S.,

A bill to appropriate to the St. Luke's Hospital, of Racine, \$500.

No. 91, S.,

A bill to appropriate a sum of money to the St. Nazian Society, of Manitowoc.

The question being on the indefinite postponement of the several bills.

The Senate refused to indefinitely postpone them, by the following vote:

Ayes—Senators Barden, Blair, Downs, Eastman, Schuette, Tate, and Welch—7.

Nays—Senators Baker, Barney, Barron, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Farr, Flint, Hathaway, Hiner, Jacobs, McFarland, Mitchell, Nevins, Reed, Ryan, Scott, Silverthorn, and Wilmot—22.

Senator Mitchell offered the following amendments to,

Nos. 80, 81, 82, 83, 84, and 99, S.,

Amend by striking out the words "one thousand dollars," and insert "five hundred dollars," in second line of printed bill.

The amendments prevailed.

The bills were then severally ordered engrossed by the following vote:

Ayes—Senators Baker, Barney, Barron, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Farr, Flint, Hathaway, Hiner, Jacobs, McFarland, Mitchell, Nevins, Reed, Ryan, Scott, Silverthorn, Treat, and Wilmot—23.

Nays—Senators Barden, Blair, Downs, Eastman, Schuette, Tate, and Welch—7.

On motion of Senator R. E. Davis,

The rules were suspended, and the several bills were put upon their passage

No. 80, S.,

Was passed by the following vote:

Ayes—Senators Baker, Barney, Barron, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Farr, Flint, Hathaway, Hiner, Jacobs, McFarland, Mitchell, Nevins, Reed, Ryan, Scott, Silverthorn, and Wilmot—21.

Nays—Senators Barden, Blair, Downs, Eastman, Schuette, Treat, and Welch—7.

No. 81, S.,

Was passed by the following vote:

Ayes—Senators Baker, Barney, Barron, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Farr, Flint, Hiner, Jacobs, McFarland, Mitchell, Nevins, Reed, Ryan, Silverthorn, Tate, and Wilmot—20.

Nays—Senators Barden, Blair, Downs, Eastman, Hathaway, Schuette, Treat, and Welch—8.

No. 82, S.,

Was passed by the following vote:

Ayes—Senators Baker, Barney, Barron, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Farr, Flint, Hiner, Jacobs, McFarland, Mitchell, Nevins, Reed, Ryan, Scott, Silverthorn, Tate, Treat, and Wilmot—22.

Nays—Senators Barden, Downs, Eastman, Hathaway, Schuette, and Welch—6.

No. 83, S.,

Was passed by the following vote:

Ayes—Senators Baker, Barney, Barron, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Farr, Flint, Hiner, Jacobs, McFarland, Mitchell, Nevins, Reed, Ryan, Scott, Silverthorn, Tate, and Wilmot—21.

Nays—Senators Barden, Downs, Eastman, Hathaway, Schuette, Treat, and Welch—7.

No. 84, S.,

Was passed by the following vote:

Ayes—Senators Baker, Barney, Barron, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Farr, Flint, Hiner, Jacobs, McFarland, Mitchell, Nevins, Reed, Ryan, Scott, Silverthorn, Tate, Treat, and Wilmot.—22.

Nays—Senators Barden, Downs, Eastman, Hathaway, Schuette, and Welch—6.

No. 86, S.,

Was passed by the following vote:

Ayes—Senators Baker, Barney, Barron, Bryant, Cavanagh, H. N. Davis, R. E. Davis, Farr, Flint, Hiner, Jacobs, Mitchell, Nevins, Reed, Ryan, Scott, Silverthorn, Tate, and Wilmot—19.

Nays—Senators Barden, Downs, Eastman, Hathaway, Treat, and Welch—6.

No. 87, S.,

Was passed by the following vote:

Ayes—Senators Baker, Barney, Barron, Bryant, Cavanagh, H. N. Davis, R. E. Davis, Flint, Hathaway, Hiner, Jacobs, McFarland, Mitchell, Nevins, Reed, Ryan, Scott, Silverthorn, Tate, and Wilmot—20.

Nays—Senators Barden, Downs, Eastman, Schuette, Treat, and Welch—6.

No. 88, S.,

Was passed by the following vote:

Ayes—Senators Baker, Barney, Barron, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Farr, Flint, Hathaway, Hiner, Jacobs, McFarland, Mitchell, Nevins, Reed, Ryan, Scott, Silverthorn, Tate, and Wilmot—22.

Nays—Senators Barden, Downs, Eastman, Schuette, Treat, and Welch—6.

No. 91, S.,

Was passed by the following vote:

Ayes—Senators Baker, Barney, Barron, Bryant, Cavanagh, R. E. Davis, Flint, Hathaway, Hiner, Jacobs, Mitchell, Nevins, Reed, Ryan, Scott, Silverthorn, Tate, and Wilmot—18.

Nays—Senators Barden, Campbell, Downs, Eastman, Farr, McFarland, Schuette, Treat, and Welch—9.

No. 99, S.,

Was passed by the following vote:

Ayes—Senators Baker, Barney, Barron, Bryant, Cavanagh, H. N. Davis, R. E. Davis, Farr, Flint, Hathaway, Hiner, Jacobs, McFar-

land, Mitchell, Nevins, Reed, Ryan, Scott, Silverthorn, Tate, Treat, and Wilmot—22.

Nays—Senators Barden, Downs, and Welch—3.

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On motion of Senator Baker,  
The Senate adjourned.

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7½ O'CLOCK, P. M.

The Senate met pursuant to adjournment.  
The Lieutenant-Governor presiding.

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On motion of Senator Potter,  
The Assembly was requested to return for further consideration,  
No. 378, A.,  
A bill to provide for an abstract of tax-titles in the county of  
Waushara, and amendatory of chapter 123, of the private and local  
laws of 1867.

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On motion of Senator Barney,  
The vote by which,  
No. 201, S.,  
A bill relating to hawkers and peddlers, and amendatory of chapter 72, laws of 1870.  
It Was laid on the table on yesterday,  
Was reconsidered.  
Senator Silverthorn offered the following amendments to the bill:  
Amend by striking out all after the words, "not exceeding three months," in the 11th line, and all of the 12th line.  
Amend section 3 by striking out the words, "living with him," in the 3d line and the same words in the 8th line.  
The amendments were adopted.  
On motion of Senator Barney,  
The rules were suspended, and the bill was read a third time and passed.

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#### REPORTS OF COMMITTEES.

The Committee on Engrossed Bills have examined and find correctly engrossed the following bills:

No. 115, S.,

A bill to establish the salaries of State officers.

No. 186, S.,

A bill to authorize county judges to grant pardons in certain cases.

No. 229, S.,

A bill to provide for the numbering consecutively of instruments or writings, offered for record, or to be filed in the offices of registers of deeds.

No. 265, S.,

A bill relating to the issue of State warrants upon the requisition of the executive of other States.

No. 276, S.,

A bill to found the Wisconsin Home for the Incurable Insane.

No. 141, S.,

A bill to further provide against injury to life and property upon railroads.

No. 166, S.,

A bill to provide for the safe keeping of public moneys and the investment of surplus funds.

No. 135, S.,

A bill for the preservation of fish in Long Lake, in the counties of Barron and Burnett.

M. C. No. 16, S.,

Memorial to Congress for the completion of the improvement of the Wisconsin and Fox Rivers.

D. E. WELCH,  
*Chairman.*

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The Committee on State Affairs, to whom was referred,

No. 315, A.,

A bill to amend section 2, chapter 89, general laws of 1872, an act relating to general elections.

Respectfully report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be concurred in.

L. W. BARDEN,  
*Chairman.*

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The Committee on State Affairs, to whom was referred,

No. 86, A.,

A bill to provide for the incorporation of religious societies.

Respectfully report that they have had the same under consideration, and have instructed me to report the same back to the Senate with a recommendation that it be concurred in.

L. W. BARDEN,  
*Chairman.*

The Committee on Roads, Bridges, and Ferries, to whom was referred.

No. 250, A.,

A bill to establish a public highway in Oconto county,

Have had the same under consideration, and report the same back, with the recommendation that it be concurred in.

JOHN SCHUETTE,

*Chairman.*

On motion of Senator Rounds,

The rules were suspended, and the bill was read a third time and concurred in.

The Committee on Enrolled Bills, have examined and find correctly enrolled the following bills:

No. 18, S.,

An act to appropriate a sum of money therein named, for the use of the Wisconsin Hospital for the Insane, and for the payment of the current expenses, for repairs and improvements, and for deficiencies.

M. C. No. 14, S.,

Memorial to Congress for amendment to the patent law.

No. 121, S.,

An act to amend chapter 80, of the general laws of 1872, entitled, "an act authorizing cities and villages to establish free public libraries and reading rooms."

M. C. No. 11, S.,

Memorial to Congress relating to the harbor of Manitowoc and Two Rivers.

M. C. No. 12, S.,

Memorial to Congress to provide fish-ways at the dams and locks of the Fox River, in the State of Wisconsin.

No. 156, S.,

An act relating to the Supreme Court.

M. C. No. 15, S.,

Memorial to Congress for an increase of mail service along mail-route, No. 25, 151, from Lake Five, to Hartford, in Washington county, Wisconsin.

M. C. No. 9, S.,

Memorial to Congress for an appropriation to improve the navigation of the St. Croix River.

No. 296, S.,

An act relating to the distribution of the Senate and Assembly journals, and other documents.

No. 237, S.,

An act to authorize the directors of the Wisconsin State Prison to lease the labor of convicts therein confined.

No. 194, S.,

An act to authorize the building and maintaining a dam in the Wisconsin River in the city of Portage.

No. 255, S.,

An act to amend chapter 113, of the private and local laws of 1867, and chapter 402, of the private and local laws of 1869, relating to the village of Shullsburg.



No. 157, S.,

An act to appropriate a sum of money for the purchase of books for the State library.

No. 212, S.,

An act to legalize the salary of the register of deeds of the county of Barron.

No. 180, S.,

An act to authorize the Secretary of State to order the binding of the report of the State Board of Charities and Reform.

No. 240, S.,

An act relating to the powers of county boards of supervisors.

No. 245, S.,

An act for the preservation of fish in Lake Marion, Dane county.

No. 116, S.,

An act to amend chapter 86, laws of 1872, entitled, an act conferring jurisdiction on the county court of Dodge county.

No. 49, S.,

An act relating to registration of electors and amendatory of section 1, of chapter 232, of the general laws of 1875.

No. 20, S.,

An act to appropriate a sum of money therein named for the use of the Northern Hospital for the Insane for the payment of current expenses and for improvements.

No. 160, S.,

An act to amend chapter 184, laws of 1875, relating to highways and bridges.

No. 5, S.,

An act to authorize and empower Leonard Guenther to erect and maintain a system of piers and booms on the Wisconsin River, in the town of Knowlton, Marathon county.

No. 146, S.,

An act to provide for the more efficient protection from trespassing on certain lands embraced in the grants made by Congress to the State of Wisconsin, by acts approved respectively, June 3, 1856, and May 5, 1864, and of the timber standing and growing thereon.

No. 261, S.,

An act to amend sections 1, 2, and 3, of chapter 299, of the laws of Wisconsin, of 1875, entitled, "an act to prescribe the duties and regulate the fees of the lumber inspector of the fourth district."

No. 236, S.,

An act to amend section 1, of chapter 299, of the general laws of 1873, entitled, an act to amend chapter 56, general laws of 1870, entitled, an act to provide for the incorporation and government of fire and inland navigation insurance companies.

No. 127, S.,

An act to amend chapter 171, of the private and local laws of 1868, entitled, "an act to amend chapter 30, of the private and local laws of 1853, entitled, 'an act to incorporate the Wisconsin River Improvement Company, and to amend chapter 171, of the private and local laws of 1866, amendatory thereof.'"

No. 73, S.,

An act to authorize John P. Jacobson to erect and maintain a dam in Burnett county.

No. 12, S.,

An act to facilitate the artificial propagation and preservation of fish, and appropriating a certain sum therein named, for that purpose, and to purchase a site for a State hatching-house, and the erection thereof.

No. 204, S.,

An act to legalize the acts of Bentley S. Phillips, a notary public, of Eau Claire county.

No. 144, S.,

An act to adjust and settle the salaries of and allowances to certain county officers of Burnett county.

No. 281, S.,

An act to enable the boards of supervisors of the towns of Loraine and Milltown, in the county of Polk, to issue bonds to settle their present indebtedness.

No. 238, S.,

An act to amend section 1, of chapter 33, of the general laws of 1874, relating to permanent land-marks.

No. 268, S.,

An act to require village and city authorities to construct vaults or structures for temporary keeping of dead bodies before interment in certain cases.

No. 44, S.,

An act to authorize the board of trustees of the village of Viroqua to remove and re-inter the remains of persons buried in the old burying-ground.

R. J. FLINT,  
*Chairman.*

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The Committee on Education, to which was referred,

No. 416, A.,

A bill to increase the efficiency of school supervision and provide just compensation therefor.

Has had the same under consideration, and instructed me to report it back without recommendation.

S. L. NEVINS,  
*Chairman.*

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The Committee on Incorporations, to whom was referred,

No. 233, A.,

A bill to amend an act entitled, "an act to authorize the construction of a dam across Rock River," approved February 21, 1848, as amended by chapter 214, of the laws of 1850.

Report the same back with the recommendation that it be concurred in.

THOMAS B. SCOTT,  
*Chairman.*

On motion of Senator H. N. Davis,

The rules were suspended, and the bill was read a third time and concurred in.

The Committee on the Judiciary, to which was referred,  
No. 186, A.,

A bill to authorize the judge of the 5th judicial circuit to employ a short-hand reporter.

Have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

H. D. BARRON,

*Chairman.*

The Committee on Finance, having had under consideration the finances of the State, would respectfully submit the following estimates of receipts and expenditures for the year 1877, and would also report a bill for the levy of a State tax for the present year.

It is thought proper to add that in the estimates of expenditures are included appropriations made by the present legislature in excess of the estimates on which the last State tax was based.

In addition to the direct levy contemplated by the bill referred to, there is also to be levied annually, in accordance with the provisions of chapter 117, of the laws of the present session, a tax of one-tenth of one mill, for each dollar of the assessed valuation of the property of the State for the support of the university.

R. H. BAKER,

*Chairman.*

#### EXPENDITURES.

##### 1. SALARIES AND PERMANENT APPROPRIATIONS.

|  |            |                    |
|--|------------|--------------------|
| Governor's office.....                           | \$6,600 00 |                    |
| Lieutenant-Governor.....                         | 1,000 00   |                    |
| Secretary of State's office.....                 | 3,200 00   |                    |
| State Treasurer's office.....                    | 3,400 00   |                    |
| Attorney-General's office.....                   | 2,600 00   |                    |
| State Superintendent's office.....               | 5,700 00   |                    |
| Superintendent of Public Property's office.....  | 2,000 00   |                    |
| State Library and Librarian.....                 | 2,100 00   |                    |
| Supreme Court salaries.....                      | 14,000 00  |                    |
| Circuit Court salaries.....                      | 35,000 00  |                    |
| Supreme Court Reporter.....                      | 1,000 00   |                    |
| State Historical Society.....                    | 6,300 00   |                    |
| Supreme Court reports.....                       | 12,000 00  |                    |
| Railroad Commissioner, clerk and stationery..... | 5,000 00   |                    |
|  |            | <u>\$99,900 00</u> |

##### 2. LEGISLATIVE EXPENSES.

|   |             |                  |
|---|-------------|------------------|
| Salaries of members.....                              | \$46,975 00 |                  |
| Mileage of members.....                               | 3,400 00    |                  |
| Officers and employees.....                           | 18,000 00   |                  |
| Printing, and other incidentals, including paper..... | 20,000 00   |                  |
|   |             | <u>88,375 00</u> |

##### 3. INTEREST.

|                              |              |                     |
|------------------------------|--------------|---------------------|
| Interest on State debt.....  | \$157,500 00 |                     |
| Interest on school fund..... | 7,088 36     |                     |
|                              |              | <u>\$164,588 36</u> |

## 4. STATE PRISON AND CHARITABLE INSTITUTIONS.

|  |             |                     |
|--|-------------|---------------------|
| State Prison.....  | \$35,000 00 |                     |
| Wisconsin Hospital for the Insane.....                             | 83,454 00   |                     |
| Northern Hospital for the Insane, including improve-<br>ments..... | 126,700 00  |                     |
| Institute for the Blind.....                                       | 23,000 00   |                     |
| Institute for the Deaf and Dumb.....                               | 40,000 00   |                     |
| Industrial School for Boys.....                                    | 46,000 00   |                     |
| Supporting orphans in normal schools.....                          | 2,000 00    |                     |
| Permanent improvements—  |             |                     |
| Addition to university.....  | 55,000 00   |                     |
| Institute for Blind.....   | 60,000 00   |                     |
|  |             | <u>\$471,154 00</u> |

## 5. CLERKS AND EMPLOYEES.

|                                       |            |                    |
|---------------------------------------|------------|--------------------|
| Secretary of State's office.....      | \$9,500 00 |                    |
| Treasurer's office.....               | 6,500 00   |                    |
| Land office.....                      | 11,500 00  |                    |
| Supreme Court.....                    | 700 00     |                    |
| Janitors and messengers.....          | 6,500 00   |                    |
| Laborers, engineers, and firemen..... | 7,500 00   |                    |
| Clerks, protecting State lands.....   | 6,000 00   |                    |
| Geological survey.....                | 13,000 00  |                    |
|                                       |            | <u>\$61,200 00</u> |

## 6. MISCELLANEOUS.

|  |             |                     |
|--|-------------|---------------------|
| Printing under contract and purchase of paper..... | \$30,000 00 |                     |
| Advertising and publishing laws.....               | 14,000 00   |                     |
| Stationery.....                                    | 7,500 00    |                     |
| County agricultural societies.....                 | 4,000 00    |                     |
| Gas and Fuel.....                                  | 10,000 00   |                     |
| Postage.....                                       | 4,000 00    |                     |
| Bounties on wild animals.....                      | 7,000 00    |                     |
| Contingent expenses and appropriations.....        | 60,000 00   |                     |
| Centennial appropriation.....                      | 20,000 00   |                     |
| Wausau military road ..                            | 2,000 00    |                     |
| Soldiers' orphans' pensions.....                   | 4,000 00    |                     |
| Artificial propagation of fish.....                | 10,000 00   |                     |
|  |             | <u>162,500 00</u>   |
| Total.....   |             | <u>1,047,717 36</u> |

## REVENUES.

|   |                   |                     |
|---|-------------------|---------------------|
| Railway companies' licenses.....              | \$400,000 00      |                     |
| Insurance companies' taxes and licenses.....  | 65,000 00         |                     |
| Telegraph and plank-roads.....                | 2,500 00          |                     |
| Hawkers and peddlers' licenses.....           | 8,000 00          |                     |
| Tax on suits.....                             | 8,800 00          |                     |
| Miscellaneous.....                            | 20,000 00         |                     |
| Total.....                                    | 499,800 00        |                     |
| Taxes authorized by existing laws—            |                   |                     |
| Interest on State debt.....                   | \$157,500 00      |                     |
| Interest on school-fund.....                  | 7,088 36          |                     |
|   | <u>164,588 36</u> |                     |
|   |                   | <u>\$663,888 36</u> |
| Leaving a balance to be raised by tax of..... |                   | <u>383,829 00</u>   |

The bill reported by the Finance Committee became,  
No. 299, S.,  
A bill to provide for levying a State tax for the year 1876.  
The bill was placed on the general file.

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#### REPORTS OF SELECT COMMITTEES.

The select committee, to which was referred,  
No. 211, S.

A bill to confer upon Christian Buckhardt, his heirs and assigns,  
certain franchises upon Willow Creek, St. Croix county.

Has had the same under consideration and report it back with  
amendments, and recommend its passage when so amended.

H. D. BARRON,  
*Committee.*

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The select committee of one, to which was referred,  
Nos. 77, 78, 79, and 85, S.,

Report the same back, with the recommendation that no action  
be had.

JOHN L. MITCHELL,  
*Committee.*

The recommendation of the committee was concurred in.

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#### THE SPECIAL ORDER.

No. 298, S.,

A bill to apportion the State into Senate and Assembly districts.  
Being the special order for this hour,

Was taken up.

Senator Barron offered the following amendment:

Amend by inserting the following between lines 16 and 17, of  
section 2: "The county of Ozaukee shall constitute an Assembly  
district."

The amendment was adopted.

Senator Scott offered the following amendments:

Strike out "Barron," in the 21st line of section 1, and insert it  
after the word, "Bayfield," in the 47th line.

Strike out "Wood," in the 57th line of section 1, and insert it  
after the words, "and Taylor," in the 21st line; and strike out of  
the 211th line the words "and Wood."

The amendments were adopted.

Senator Scott offered the following amendment:

Amend by inserting in the 11th line of section 2, after the word  
"Taylor," the word "Wood," and strike out of the 10th line of  
section 2, the word "Barron."

The amendment was adopted.

Senator Schuette offered the following amendment:

Amend by striking out all of the 107th, 108th, 109th, 110th,  
111th, 112th, 113th lines, on page 6, in printed bill, and substi-

tute the following: The towns of Schieswig, Meeme, Eaton, Liberty, Rockland, Cato, Maple Grove, and Franklin, in the county of Manitowoc, shall constitute the first Assembly district. The towns of Two Creeks, Mishicott, Gibson, Cooperstown, Kossuth, Two Rivers, and the village of Two Rivers, in the county of Manitowoc, shall constitute the second Assembly district. The towns of Centerville, Newton, Manitowoc Rapids, Manitowoc, and the city of Manitowoc, in the county of Manitowoc, shall constitute the third Assembly district.

The amendment was adopted.

Senator Welch offered the following amendment:

Strike out the 6th line of section 2, of printed bill, and insert:

The towns of Marion, Kildare, Lemonweir, Lindina, Wonewoc, Summit, Seven-Mile Creek, and Lyndon, and the village of Mauston, in the county of Juneau, shall constitute an Assembly district. The towns of Plymouth, Fountain, Lisbon, Orange, Clearfield, Germantown, Necedah, Armenia, and the village of New Lisbon, in the county of Juneau, shall constitute an Assembly district.

The amendment was adopted.

Senator Bryant offered the following amendments:

Amend line 48, section 2, by inserting "Madison," after the word "Dunkirk."

Amend, in line 44, section 2, by striking out "Madison."

Amend the 50th line of section 1, of printed bill, by inserting "Madison."

Amend the 53d line of section 1, printed bill, by striking out "Madison."

The amendments were adopted.

Senator Eastman offered the following amendment:

Strike out Rhine and Russell, in the 171st line, and insert, Rhine and Russell, in the 173d line.

The amendment was rejected.

Senator Eastman offered the following amendment:

Amend by striking out, "and the village of Sheboygan Falls," in the 173d and 174th lines, on page 8 of printed bills and insert the same after the word, "Scott," in 176th line, same page.

The amendment was rejected.

Senator Ryan offered the following amendment:

Amend the 142d line by striking out the town of "Center," and substituting therefor the town of "Greenville," and transferring the town of Center to the 144th line, in place of the town of Greenville, thus transferred.

The amendment was rejected.

Senator Barney offered the following amendment:

Amend section 2, of the printed bill, by striking out, "and the east ward of the village of Randolph," in the 58th and 59th lines, and inserting the town of Clyman; also, amend the same section, by inserting the east ward of the village of Randolph, after the word "Beaver Dam," in the 62d line.

The amendment was rejected by the following vote.

Ayes—Senators Barney, Cavanagh, R. E. Davis, Eastman, Jacobs, McFarland, Mitchell, Reed, Ryan, and Silverthorn—10.

Nays—Senators Barden, Barron, Bryant, Campbell, H. N. Davis, Douglas, Downs, Flint, Nevins, Potter, Rounds, Scott, Tate and Welch—15.

Senator Barney offered the following amendment:

Amend section 2, of the printed bill, by inserting Westford, after the word, Oak Grove, in 58th line; also, amend same section by striking out "Westford," in the 61st line.

The amendment was rejected.

Senator Cavanagh offered the following amendment:

Amend section 1 of the printed bill by striking out all of the 34th, 35th, 36th, and 37th lines, and insert: "The county of Fond du Lac shall constitute a Senate district." Also, amend same section, by striking out all between the word "Sheboygan," in 39th line, and "shall," in the 40th line.

The amendment was rejected.

Senator Reed offered the following amendment:

Amend by striking out "Concord," where it occurs in the 32d line and insert "Concord," after "Aztalan," in the 94th line.

The amendment was rejected.

Senator Barron offered the following amendment:

Amend by striking out section 6, and inserting in lieu thereof the following: Section 6. This act shall take effect and be in force from and after its passage and publication.

The amendment was adopted.

On motion of Senator Barron,

Further consideration of the bill was postponed until to-morrow morning at 10 o'clock, and was made the special order for that hour, to continue so until disposed of.

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On motion of Senator Farr,

No. 409, A.,

A bill to amend chapter 164, of the private and local laws of 1858, entitled, an act to incorporate the village of Whitewater, approved April 24, 1858, and chapter 589, of the private and local laws of 1867, approved April 11, 1867.

Was taken up.

And the rules were suspended and the bill was read a third time and concurred in.

On motion of Senator Davis,

No. 330, A.,

A bill for the organization of savings banks and savings societies.

Was taken up.

The question being, on the adoption of amendments reported by the committee.

Senator Silverthorn offered the following amendment to the amendment:

Amend by inserting after the word "such," the words "real estate."

The amendment to the amendment was adopted.

The amendment was adopted; and,  
On motion of Senator H. N. Davis,  
The rules were suspended, and the bill was read a third time and concurred in.

The amendments to,  
No. 107, A.,

A bill to amend chapter 500, of the private and local laws of the year 1868, entitled, "an act to consolidate and amend an act to incorporate the city of Madison, and the several acts amendatory thereof,"

Reported by the select committee,

Were adopted by the following vote:

Ayes—Senators Baker, Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Nevins, Potter, Rounds, Tate, Treat, and Welch—19.

Nays—Senators Barney, Cavanagh, R. E. Davis, Eastman, Jacobs, McFarland, Mitchell, Reed, Ryan, and Silverthorn—10.

The bill was then ordered to a third reading.

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On motion of Senator R. E. Davis,

No. 292, S.,

A bill to authorize the Governor to purchase the cabinet and library of the late Increase A. Lapham.

Was taken up,

And the bill was ordered engrossed for a third reading.

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On motion of Senator Baker,

No. 279, A.,

A bill to provide against damage by corn-shellors, threshing-machines, or any other machine run by means of tumbling-rods or shafting.

Was taken up,

And the bill was indefinitely postponed.

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The amendments to,

No. 294, A.,

A bill to authorize joint school district number 1, of the towns of Wonewoc and Woodland, in the counties of Juneau and Sauk, to borrow money.

Were adopted; and,

On motion of Senator Scott,

The rules were suspended, and the bill was read a third time and concurred in.



## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has reconsidered and concurred in,

No. 148, S.,

A bill to confer on certain associations of the citizens of the State of Wisconsin, the powers and immunities of corporations and bodies politic in law.

And has refused to concur in,

No. 167, S.,

A bill to establish the site for county buildings in the county of Taylor.

## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk, thereof:

MR. PRESIDENT: I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 165, A.,

A bill to amend section 58, chapter 152, general laws 1869, relating to highways and bridges.

No. 46, A.,

A bill to amend section 18, of the revised statutes, entitled, "of assessment and collection of taxes."

No. 93, A.,

A bill to repeal part of section 1, chapter 177, general laws of 1875, entitled, an act to authorize the county board of supervisors of the county of Milwaukee to appropriate a certain sum to the county treasurer of said county, for the purpose of clerk hire, approved March 4, 1875.

No. 225, A.,

A bill to amend section 1, of chapter 311, of the private and local laws of 1862, entitled, "an act to fix the salary of the clerk of the circuit and county courts of the county of Milwaukee."

No. 173, A.,

A bill to amend section 4, of chapter 259, laws of 1874, entitled, an act to authorize Samuel L. Lerene to keep and maintain a ferry on the Mississippi River.

No. 351, A.,

A bill to provide for the better protection of life in theaters, concert-halls, lecture-rooms, and public school-houses.

No. 133, A.,

A bill to organize a State Board of Charities and Reform, and define its duties.

No. 162, A.,

A bill to protect purchasers of railroad land-grant lands in this State.

No. 184, A.,

A bill to repeal section 3, of chapter 121, of the general laws of 1868, entitled, an act relative to the compensation of county judges.

No. 301, A.,

A bill relating to the disposition of the real or personal property of paupers.

No. 214, A.,

A bill relating to the duties of town officers, and amendatory of section 2, of chapter 15, of the revised statutes.

No. 234, A.,

A bill to amend sections 17, 18, and 19, chapter 89, of the revised statutes, relating to rights of widows.

No. 217, A.,

A bill for improving that branch of the Chippewa River, known as the south branch of the Weirgor River, and to authorize the collection of tolls therefor.

No. 84, A.,

A bill to authorize the common council of the city of Milwaukee to buy or build a dredge, tug-boat, and scows, for use of said city.

No. 92, A.,

A bill to repeal section 2, of chapter 261, of the general laws for the year 1875, entitled, "an act to provide for the depositing of funds of the counties, the taxable property of which shall exceed in valuation as fixed by the State board of equalization, the amount of thirty million of dollars, approved March 4, 1875.

No. 292, A.,

A bill to provide for the construction of a viaduct over the Chicago Milwaukee & St. Paul Railway, and approaches thereto.

And has concurred in Senate amendment to,

No. 150, A.,

A bill to declare Coon River, in the county of Vernon, a navigable stream.

And has concurred in,

No. 156, S.,

A bill relating to the Supreme Court.

No. 161, S.,

A bill to lay out and establish a State road from Viroqua to Elroy.

No. 258, S.,

A bill relating to trespassing on State lands, and for the repeal of chapter 21, of the general laws of 1871, entitled, "an act to consolidate and amend the laws relating to trespassing on State lands."

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to return you, as requested,

No. 378, A.,

A bill to provide for an abstract of tax-titles in the county of Waushara, and amendatory of chapter 123, of the private and local laws of 1867.

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#### ASSEMBLY MESSAGE CONSIDERED.

No. 162, A.,

Was referred to the Committee on Railroads.

Nos. 46, 92, 184, 234, and 301, A.,

Were referred to the Committee on Judiciary.

Nos. 84, 93, 133, 165, 214, 217, 225, and 351, A.,

Were placed in the general file.

No. 378, A.,

Was referred to a select committee, consisting of Senator Potter.

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On motion of Senator Mitchell,

The rules were suspended, and,

No. 292, A.,

Was read a third time and concurred in.

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On motion of Senator Flint,

The rules were suspended, and

No. 173, A.,

Was read a third time and concurred in.

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#### LEAVES OF ABSENCE.

Indefinite leave of absence was granted to Senator Wilmot.

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On motion of Senator Barron,

The Senate adjourned.

SATURDAY, MARCH 11, 1876.

10 O'CLOCK, A. M.

The Senate met.

The Lieutenant-Governor presiding.

Prayer by the Rev. Dr. Wilkinson.

The roll was called, and the following Senators answered to their names:

Senators Baker, Barney, Barden, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, Treat, and Welch.

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#### LEAVES OF ABSENCE.

Indefinite leave was of absence was granted,  
To Senator McFarland and the Sergeant-at-Arms.

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#### THE SPECIAL ORDER.

No. 298, S.,

A bill to apportion the State into Senate and Assembly districts.

Senator Hathaway offered the following amendment:

Strike out lines 72 to 83, in section 2, and insert: The towns of Clifton, Ellenboro, Harrison, Hazel Green, Jamestown, Lima, Paris, Platteville, and Smelser, in the county of Grant, shall constitute the first Assembly district in said county.

The towns of Beetown, Bloomington, Cassville, Glen Haven, Lancaster, Liberty, Little Grant, Potosi, and Waterloo, in the county of Grant, shall constitute the second Assembly district in said county.

The towns of Blue River, Boscobel, Fennimore, Hickory Grove, Marion, Millville, Mount Hope, Muscoda, Patch Grove, Watters-town, Wingville, Woodman, and Wyalusing, in the county of

Grant, shall constitute the third Assembly district in said county.

The amendment was adopted.

Senator Hudd offered the following amendment:

Amend printed bill in 20th line, page 3: strike out the town of "Humboldt," and insert, "Bellevue," also, to make the town of Humboldt part of the third Assembly district.

The amendment was rejected by the following vote:

Ayes—Senators Barney, Cavanagh, R. E. Davis, Eastman, Hudd, Jacobs, McFarland, Mitchell, Reed, Ryan, and Silverthorn—11.

Nays—Senators Baker, Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Nevins, Potter, Schuette, Scott, Tate, and Welch—19.

Senator Silverthorn offered the following amendment:

Amend by striking out all after the enacting clause.

The amendment was rejected by the following vote:

Ayes—Senators Barney, Cavanagh, R. E. Davis, Eastman, Hudd, Jacobs, McFarland, Mitchell, Reed, Ryan, and Silverthorn—11.

Nays—Senators Baker, Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Nevins, Potter, Rounds, Schuette, Scott, Tate, and Welch—20.

The bill was ordered engrossed for a third reading by the following vote:

Ayes—Senators Baker, Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Nevins, Potter, Rounds, Schuette, Scott, Tate, and Welch—20.

Nays—Senators Barney, Cavanagh, R. E. Davis, Eastman, Hudd, Jacobs, McFarland, Mitchell, Reed, Ryan, and Silverthorn—11.

On motion of Senator \_\_\_\_\_,

The rules were suspended, and the bill was read a third time and passed by the following vote:

Ayes—Senators Baker, Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Nevins, Potter, Rounds, Schuette, Scott, Tate, and Welch—20.

Nays—Senators Barney, Cavanagh, R. E. Davis, Eastman, Hudd, Jacobs, McFarland, Mitchell, Ryan, and Silverthorn—11.

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## RESOLUTIONS INTRODUCED.

By Senator H. N. Davis:

Jt. Res. No. 26, S.,

Authorizing the Secretary of State and State Treasurer to construe the act authorizing the appropriation to the Wisconsin State Hospital for the Insane, for the present year, as covering the months of January and February, of the year 1876.

WHEREAS, The appropriations made at the present session for the current expenses of the Wisconsin Hospital for the Insane covers the year ending March 1, 1877; and,

WHEREAS, The appropriation made for 1875, was all expended

January 1, 1876, thus leaving two months' expenses of the hospital unprovided for; therefore,

*Resolved by the Senate, the Assembly concurring,* That the Secretary of State and the State Treasurer be, and they are hereby authorized to construe said act making said appropriation for the present year, as covering the months of January and February, 1876, and to make payment to the treasurer of said hospital for the months aforesaid.

On motion of Senator H. N. Davis,

The rules were suspended, and the resolution was adopted.

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### REPORTS OF COMMITTEES.

The Committee on Engrossed Bills have examined and find correctly engrossed the following bill:

No. 292, S.,

A bill to authorize the Governor to purchase the cabinet and library of the late I. A. Lapham.

D. E. WELCH,  
*Chairman.*

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The Committee on Judiciary, to which was referred,

No. 184, A.,

A bill to repeal section 3, of chapter 121, of the general laws of 1868, entitled, "an act relating to the compensation of county judges."

No. 92, A.,

A bill to repeal section 2, of chapter 261, of the general laws for the year 1875, entitled, an act to repeal section 2, of the general laws for the year 1875, entitled, an act to provide for the depositing of funds of the counties, the taxable property of which shall exceed in valuation as fixed by the State Board of Equalization, the amount of \$30,000,000, approved March 4, 1875.

No. 234, A.,

A bill to amend sections 17, 18, and 19, chapter 89, of the revised statutes, relating to the rights of widows.

No. 46, A.,

A bill to amend chapter 18, of the revised statutes, entitled, of assessment and collection of taxes.

No. 301, A.,

A bill relating to the disposition of the real or personal property of paupers.

Has had the same under consideration, and instructed me to report,

Nos. 184, A., and 92, A.,

Back with the recommendation that they be concurred in; Senators Hudd and Silverthorn dissenting.

No. 301, A.,

With a recommendation that it be indefinitely postponed.

And,

No. 46, A., and 234, A.,

With the recommendation that they be concurred in.

H. D. BARRON,  
*Chairman.*

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The Committee on Railroads have had under consideration,  
No. 162, A.,

A bill to protect purchasers of railroad land-grant lands in this State.

And have instructed me to report the same back with an amendment and recommend concurrence therein when so amended.

W. H. HINER,  
*Chairman.*

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The Committee on Incorporations to which was referred,  
No. 367, A.,

A bill to amend chapter 288, of the laws of 1874, entitled, an act to authorize Daniel Shaw and his associates to improve Thorn-Apple River for log-driving purposes.

Have had the same under consideration and instructed me to report the same back with recommendation that it do pass.

THOMAS B. SCOTT,  
*Chairman.*

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#### REPORTS OF SELECT COMMITTEES.

The select committee, to whom was referred,

No. 378, A.,

A bill to provide for an abstract of tax-titles in the county of Waushara, and amendatory of chapter 123, of the private and local laws of 1867.

Has had the same under consideration, and report the same back with amendment, and recommend that it be concurred in when so amended.

R. L. D. POTTER,  
*Committee.*

On motion of Senator Potter,

The vote by which,

No. 378, A.,

Was indefinitely postponed,

Was reconsidered.

The amendments were adopted; and,

On motion of Senator Potter,

The rules were suspended, and the bill was read a third time and concurred in,

And the title amended so as to read as follows:

A bill for the limitation of tax-certificates owned by counties or municipal corporations.

The select committee to whom was referred,  
No. 286, S.,

A bill to detach the county of Barron from the eighth judicial district, and to attach said county to the eleventh judicial circuit, and to fix the terms of court therein.

Have had the same consideration and report the same back by substitute, and recommend the passage of the substitute.

R. J. FLINT,  
*Chairman.*

### EXECUTIVE COMMUNICATION.

STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,  
*MADISON, March 11, 1876.*

*To the honorable, the Senate:*

The following entitled bills, and joint resolutions, originating in the Senate, have severally received the executive approval and have been deposited in the office of the Secretary of State:

No. 15, S.,

An act to provide for the publication of the transactions of the Northern Wisconsin Agricultural and Horticultural Association.

No. 270, S.,

An act to appropriate a sum of money therein named to pay for additional copies of the Legislative Manual for 1876.

No. 177, S.,

An act to improve the south branch of the Eau Claire River, and its tributaries, in Clark county.

No. 193, S.,

An act to enable certain towns, villages, and cities to construct and improve harbors.

Jt. Res. No. 24, S.,

Joint resolution authorizing the State Geologist to furnish the Board of Centennial Managers maps, specimens, &c.

No. 196, S.,

An act to amend sections 1 and 2, of chapter 138, of the general laws of 1870, entitled, "an act for the destruction of lynxes, wolves, and wild-cats."

No. 290, S.,

An act to repealing chapter 147, of the private and local laws of 1871, relating to the taking of fish in Pike Lake, Washington county, Wisconsin, and all acts amendatory thereof.

No. 132, S.,

An act to extend the time for the construction of the North Wis-



consin Railway, and to waive the forfeiture incurred by the North Wisconsin Railway Company by its failure to construct twenty miles of its road during the year 1875.

M. C. No. 3, S.,

Requesting an investigation to be made into the right of Geo. W. Cate to occupy a seat as member of Congress for the 8th district of Wisconsin.

Jt. Res. No. 14, S.,

Proposing an amendment to section 2, of article 8, of the constitution of this State.

No. 251, S.,

An act to appropriate to the Governor a certain sum of money therein named for a contingent fund.

No. 178, S.,

An act to improve the north branch of the Eau Claire River, in the county of Clark.

No. 108, S.,

An act to provide for the disposition of duplicate volumes in the State Library.

No. 43, S.,

An act relating to the equalization and assessment of taxes in the city of Grand Rapids.

No. 90, S.,

An act to authorize incorporated villages to lay out, open, change, extend, and widen public squares, grounds, highways, streets, and alleys.

No. 159, S.,

An act relating to the Senate and Assembly journals.

No. 226, S.,

An act to attach Lincoln county to the eighth congressional district, and to organize and define the boundaries of certain towns therein.

No. 195, S.,

An act to amend chapter 213, of the laws of 1873, entitled, "an act authorizing the construction of a levee along the Wisconsin River, in the counties of Columbia and Sauk."

No. 111, S.,

An act to amend chapter 223, of the laws of Wisconsin of 1875, entitled, "an act to lay out and establish a State road from the village of St. Croix Falls, in Polk county, to and intersecting State road established from New Richmond to Ashland."

No. 277, S.,

An act to authorize the State Board of Charities and Reform to transfer insane persons in certain cases.

No. 293, S.,

An act to amend section 76, of chapter 7, of the revised statutes, entitled, of general and special elections, and the manner of conducting the same, and the canvass.

HARRISON LUDINGTON,

*Governor.*

## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk, thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has concurred in,

No. 30, S.,

A bill to amend chapter 152, of the general laws of 1869, entitled, an act to codify the laws of this State relating to highways and bridges.

No. 272, S.,

A bill to amend chapter 444, of the general laws of 1864, and section 1, of chapter 232, of the general laws of 1875.

No. 273, S.,

A bill for the construction of a dam on Otter Creek, township 40, range 18 east, in Oconto county, Wisconsin, and maintain the same for manufacturing purposes.

No. 271, S.,

A bill relating to the discontinuance of roads by user, and amendatory of section 85, of chapter 19, of the revised statutes, entitled, of roads and bridges.

No. 209, S.,

A bill to amend section 76, of chapter 142, of the revised statutes of the State of Wisconsin, entitled, of the partition of land owned by several persons.

No. 93, S.,

A bill to repeal chapter 348, of the laws of Wisconsin of 1874, entitled, "an act to amend chapter 46, of the general laws of 1869, entitled, an act to protect the lands and timber granted to the St. Croix & Lake Superior Railroad Company."

No. 112, S.,

A bill to authorize the county of Burnett to build and maintain a free bridge across the St. Croix River, in town thirty-eight, (38,) north of range twenty, (20,) west.

No. 45, S.,

A bill repealing chapter 159, of the laws of 1874, and chapter 268, of the laws of 1873, relating to taxes for special road purposes in Vernon county.

No. 256, S.,

A bill to provide for the election of justices of the peace, in the city of Watertown.

No. 136, S.,

A bill to provide for the rebuilding of a portion of the Institute for the Education of the Blind, and to appropriate a sum of money therein named for that purpose.

Jt. Res. No. 16, S.,

To amend section 4, of article 7, of the constitution of the State of Wisconsin, providing for the enlargement of the Supreme Court to five judges.

Jt. Res. No. 23, S.,

Relating to the location of the State Prison and a Hospital for the Incurable Insane.

And has amended and concurred in,  
No. 42, S.,

A bill to amend an act entitled, an act to incorporate the Milwaukee & Beloit Railroad Company, approved March 29, 1855, as amended by chapter 364, of the private and local laws of 1864, and again amended by chapter 294, of private and local laws of 1870, approved March 14, 1870.

And refuses to concur in,  
No. 181, S.,

A bill to enable the town of Jenny, in Lincoln county, to improve the navigation of the Wisconsin River, in said town.

No. 294, S.,

A bill to appropriate a sum of money therein named to the directors of the State Prison for the purpose of providing hospital accommodations for criminal insane within the prison, and to reimburse the prison for goods furnished State institutions.

No. 244, S.,

A bill authorizing cities to make appropriations for celebrating the 4th of July, 1876.

No. 26, S.,

A bill to amend chapter 111, of the revised statutes, entitled, of divorce.

No. 213, S.,

A bill to declare a certain highway in Kewaunee and Brown counties a State road.

And has passed and asks concurrence in,

No. 251, A.,

A bill to amend section 18, of chapter 179, laws of 1874, entitled, an act to consolidate and codify the various laws of this State, relating to excise and the sale of intoxicating liquors.

And has concurred in,

No. 122, S.,

A bill to extend the time for settlers upon certain land-grant lands to acquire title thereto.

No. 145, S.,

A bill to amend chapter 46, of the general laws of 1869, entitled, "an act to protect the lands, and timber thereon, granted to the St. Croix & Lake Superior Railroad Company."

No. 170, S.,

A bill to authorize the the appointment of phonographic reporters for certain counties in the eleven<sup>th</sup> judicial circuit.

No. 176, S.,

A bill to facilitate the driving of logs down the rivers of this State and their tributaries.

No. 206, S.,

A bill to amend section 38, and section 57, chapter 243, laws of 1874, entitled, "an act relating to public printing."

No. 242, S.,

A bill to appropriate a certain sum of money therein named to J. Henry Tate.

And has amended and concurred in as amended,

No. 54, S.,

A bill to codify and consolidate the laws relating to pay and mileage of members, pay of employees, and providing for newspapers, postage-stamps, stationery, and opening of the legislature.

No. 118, S.,

A bill to appropriate to Reuben May a sum of money to cover expenses in contested election case.

No. 291, S.,

A bill to amend chapter 203, of the laws of Wisconsin of 1875. entitled, an act to provide for the revision of the statutes.

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof :

Mr. PRESIDENT :—I am directed to inform you that the Assembly refuses to concur in Senate amendments to,

No. 235, A.,

A bill in relation to the publication of legal notices.

And asks for a committee of conference on the same.

The committee of conference on the part of the Assembly is, Messrs. Lees, Booth, and Bock.

The chair appointed as such committee, on the part of the Senate, Senators Downs, Hudd, and Tate.

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### ASSEMBLY MESSAGE CONSIDERED.

The amendments to;

No. 42, S.,

Were concurred in.

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### ASSEMBLY BILLS READY FOR A THIRD READING.

No. 107, A.,

A bill to amend chapter 500, private and local laws, 1868, entitled, an act to consolidate and amend an act to incorporate the city of Madison, and the several acts amendatory thereof.

Was read a third time and concurred in.

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### SENATE BILLS ON THEIR THIRD READING.

No. 135, S.,

A bill for the preservation of fish in Long Lake in the counties Barron and Burnett.

No. 141, S.,

A bill to further provide against injury to life and property upon railways.

No. 229, S.,

A bill to provide for the numbering consecutively of instruments or writings offered for record or to be filed in the office of registers of deeds.

No. 265, S.,

A bill relating to the issue of State warrants upon the requisition of the executives of other States.

Were severally read a third time and passed.

M. C. No. 16, S.,

For the completion of the improvement of the Wisconsin and Fox Rivers.

Was read a third time and passed.

No. 186, S.,

A bill to authorize county judges to grant pardons in certain cases.

Was read a third time and passed,

And the title amended so as to read as follows:

A bill to legalize the acts of the town board of supervisors, of the town of Stanfold, Barron county.

No. 276, S.,

A bill to found the Wisconsin Home for the Incurable Insane.

Was read a third time and passed by the following vote:

Ayes—Senators Baker, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Jacobs, McFarland, Mitchell, Nevins, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, and Treat—28.

Nays—0.

The title was amended so as to read as follows:

A bill to appropriate a sum of money therein named to the Wisconsin Dairymen's Association for the purpose of publishing the annual report.

No. 292, S.,

A bill to authorize the Governor to purchase the cabinet and library of the late I. A. Lapham.

Was read a third time and passed by the following vote:

Ayes—Senators Barney, Bryant, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Hiner, Hudd, Jacobs, Mitchell, Nevins, Potter, Rounds, Ryan, Schuette, Scott, and Silverthorn—17.

Nays—Senators Baker, Blair, Campbell, Downs, Eastman, Flint, Hathaway, McFarland, Treat, and Welch—10.

No. 115, S.,

A bill to establish the salaries of State officers.

Was read a third time and passed by the following vote:

Ayes—Senators Baker, Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Eastman, Farr, Flint, Hathaway, Hiner, McFarland, Mitchell, Nevins, Potter, Rounds, Scott, Treat, and Welch—22.

Nays—Senators Barney, Cavanagh, Farr, Reed, Ryan, Schuette, Silverthorn, and Tate—8.

No. 166, S.,

A bill to provide for the safe keeping of public moneys, and the investment of surplus funds.

Was read a third time and passed by the following vote:

Ayes—Senators Baker, Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Flint, Hathaway, Mitchell, Nevins, Potter, Rounds, Scott, Treat, and Welch—20.

Nays—Senators Barney, Cavanagh, Farr, Hiner, Hudd, Jacobs, Reed, Ryan, Schuette, Silverthorn, and Tate—11.

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Senator Senator Barden moved to lay aside all bills that would elicit debate.

Which motion was lost by the following vote:

Ayes—Senators Barden, Barney, Blair, Campbell, Cavanagh, Downs, Potter, Schuette, and Treat—9.

Nays—Senators Barron, Bryant, Douglas, Flint, Hathaway, Hiner, Hudd, Jacobs, Nevins, and Scott—10.

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#### ASSEMBLY BILLS READY FOR A THIRD READING.

No. 13, A.,

A bill to amend sections 1 and 12, of chapter 186, of the general laws of 1861, entitled, an act providing for a lien for labor and services upon logs and lumber in the county of Chippewa, and to repeal chapter 186, of the laws of 1874, entitled, an act to amend chapter 161, of the general laws of 1861, entitled, an act providing for a lien for labor and services upon logs and lumber, in the county of Chippewa.

No. 17, A.,

A bill to repeal chapter 67, laws of 1871, entitled, an act to encourage the raising of sheep and discourage the raising of dogs.

No. 77, A.,

A bill for the preservation of fish in Waukesha county:

No. 86, A.,

A bill to provide for the incorporation of religious societies.

No. 91, A.,

A bill for the protection of brook-trout, in the State of Wisconsin.

No. 113, A.,

A bill concerning the time of payment of salaries of certain officers and employees of the State.

No. 153, A.,

A bill to amend chapter 467, of the private and local laws of the year 1869, entitled, an act to incorporate the Family Protective Association of Milwaukee.

No. 185, A.,

A bill to provide for the payment of fees of garnishees.

No. 315, A.,

A bill to amend section 2, of chapter 89, of the general laws of 1872, entitled, "an act relating to general elections."

No. 342, A.,

A bill to detach certain territory from the city of Shawano, and attach the same to the town of Richmond, Shawano county, Wisconsin.

No. 353, A.,

A bill to fix a salary for the sheriff of Milwaukee county.

No. 377, A.,

A bill to appropriate to L. S. Dixon, a sum of money therein named.

No. 264, A.,

A bill to protect fish in the Baraboo River, in the counties of Columbia, Sauk, Juneau, Monroe, and Vernon.

No. 379, A.,

A bill to appropriate a sum of money sufficient to pay for printing the school-laws, and for binding 200 copies of the same.

No. 394, A.,

A bill to protect the manufacture of butter and cheese.

No. 403, A.,

A bill to legalize the proceedings of C. J. Pardee, Albert Sharf, and James Wilson, a committee of the board of supervisors of the county of Columbia, appointed at the annual session of said board for the year 1875, in altering or changing a certain territorial road in the town of West Point, in said county.

No. 417, A.,

A bill to appropriate to Joseph Bennett a sum of money therein named.

Were severally ordered to a third reading.

The amendments to,

No. 261, A.,

A bill to lay out, open, and establish a State road from, at or near Jenny, Lincoln county, to Westboro, Taylor county, and to intersect the new Yellow River road in Chippewa county, at a point on the northwest quarter of the northwest quarter of section 5, town 32, range 5 west.

Were adopted,

And the bill was ordered to a third reading.

No. 209, A.,

A bill to prevent the hunting of deer with dogs.

Senator Hudd offered the following amendment:

Amend section 1, of 209, A., *provided*, that this act shall not apply to the counties of Brown, Oconto, Door, and Kewaunee.

The amendment was rejected,

And the bill was ordered to a third reading.

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On motion of Senator Silverthorn,  
The rules were suspended, and

No. 324, A.,

A bill to amend chapter 16, private and local laws 1872, entitled, an act to incorporate the city of Eau Claire.

Was concurred in.

The amendments to,

No. 40, A.,

A bill relating to certain duties of the clerks or their deputies, in the circuit, county, and municipal courts, in the State of Wisconsin.

Were adopted by the following vote:

Ayes—Senators Barney, Blair, Cavanagh, R. E. Davis, Eastman, Farr, Hudd, Jacobs, McFarland, Mitchell, Reed, Ryan, and Silverthorn—13.

Nays—Senators Baker, Barden, Barron, Bryant, Douglas, Downs, Flint, Hathaway, Hiner, Potter, and Schuette—11.

On motion of Senator Jacobs,

The rules were suspended, and the bill was read a third time and passed.

The amendments to,

No. 333, A.,

A bill to establish a State board of health, to provide for the appointment of a superintendent of vital statistics and to assign certain duties to local boards of health.

Were adopted by the following vote:

Ayes—Senators Barney, Barron, Bryant, H. N. Davis, R. E. Davis, Douglas, Downs, Farr, Flint, Hiner, Hudd, McFarland, Reed, Rounds, Ryan, Scott, and Welch—17.

Nays—Senators Baker, Barden, Blair, Campbell, Cavanagh, Hathaway, Potter, Schuette, Tate, and Treat—10.

On motion of Senator Bryant,

The rules were suspended; and,

The bill was read a third time and concurred in by the following vote:

Ayes—Senators Barney, Barron, Bryant, H. N. Davis, R. E. Davis, Douglas, Downs, Farr, Flint, Hiner, Hudd, McFarland, Rounds, Ryan, Scott, and Welch—16.

Nays—Senators Baker, Barden, Blair, Campbell, Cavanagh, Eastman, Hathaway, Nevins, Potter, Schuette, Tate, and Treat—12.

The Senate refused to order,

No. 381, A.,

A bill to amend section 6, of chapter 16, of the revised statutes entitled, of "circuit courts."

To a third reading.

No. 352, A.,

A bill to provide for court commissioners in Milwaukee county.  
Was indefinitely postponed.



No. 322, A.,

A bill to amend chapter 263, of the laws of 1873, entitled, "an act to prescribe the measure of damages in certain actions, for the wrongful cutting of timber."

Was recommitted to the Committee on Judiciary.

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On motion of Senator Downs,  
The Senate adjourned until 2:30, p. m.

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2:30 O'CLOCK, P. M.

The Senate met pursuant to adjournment.  
The Lieutenant-Governor presiding.

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#### REPORTS OF COMMITTEES.

The Committee on Enrolled Bills have examined and find correctly enrolled the following bills:

No. 191, S.,

An act to amend chapter 133, of private and local laws of 1857, entitled, "an act to consolidate and amend the act to incorporate the city of Kenosha, and the several acts amendatory thereof."

No. 161, S.,

An act to lay out and establish a State road from Viroqua to Elroy.

No. 258, S.,

An act relating to trespassing on State lands, and for the repeal of chapter 21, of the general laws of 1871, entitled, an act to consolidate and amend the laws relating to trespassing on State lands.

No. 234, S.,

An act relating to the circuit court of the county of Winnebago.

No. 242, S.,

An act to appropriate a certain sum of money therein named to J. Henry Tate.

No. 221, S.,

An act to incorporate the city of River Falls.

R. J. FLINT,  
*Chairman.*

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The Committee on the Judiciary, to whom was referred,  
No. 322, A.,

A bill to amend chapter 263, of the laws of 1873, entitled, an act

to prescribe the measures of damages in certain actions for the wrongful cutting of timber.

With pending amendments.

Have had the same under consideration, and report it back and recommend that it be concurred in with pending amendments.

H. D. BARRON,

*Chairman.*

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### REPORTS OF SELECT COMMITTEES.

The committee of conference on the disagreeing of the vote of the two Houses on the amendment of the Senate to,

No. 327, A.,

A bill to appropriate to George Graham a sum of money.

Have met and after a full and free conference, have agreed that the Senate amendment be sustained, Messrs. White, and M. Griffin dissenting.

No. 413, A.,

A bill to appropriate to T. S. Hayhurst a sum of money therein named.

And recommend that the Senate recede from their amendment, Senator Welch dissenting.

D. E. WELCH,

J. B. TREAT,

J. A. BARNEY,

*On part of Senate.*

M. GRIFFIN,

HENRY FINK,

E. N. WHITE,

*On part of Assembly.*

The report of the committee was adopted by the following vote:  
Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, R. E. Davis, Downs, Flint, Hiner, Hudd, Jacobs, McFarland, Mitchell, Ryan, Scott, and Silverthorn—17.

Nays—Senators Campbell and Eastman—2.

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The select committee, to whom was referred,

No. 416, A.,

Report the same back, with amendment, and recommend passage when so amended.

GEO. E. BRYANT,

R. E. DAVIS,

*Committee.*

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has concurred in Senate amendments to,

No. 294, A.,

A bill to authorize joint school district number 1, of the towns of Wonewoc and Woodland, in the counties of Juneau and Sauk, to borrow money.

No. 330, A.,

A bill for the organization of savings banks and savings societies.

And has refused to concur in,

No. 41, S.,

A bill to authorize the improvement of the Catfish River, for the purpose of navigation.

No. 203, S.,

A bill to authorize John Duncan and William S. Taylor to maintain a dam on Silver Creek.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk, thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has concurred in,

No. 80, S.,

A bill to appropriate to the St. Joseph's Orphan Asylum, of Milwaukee, a sum of money therein named.

No. 81, S.,

A bill to appropriate to the St. Æmelianus Orphan Asylum, of Milwaukee, a sum of money therein named.

No. 82, S.,

A bill to appropriate to the Home of the Friendless, of Milwaukee, a sum of money therein named.

No. 83, S.,

A bill to appropriate to the St. Rose Orphan Asylum, of Milwaukee, a sum of money therein named.

No. 84, S.,

A bill to appropriate to the Orphans' Association, of Milwaukee, a sum of money therein named.

No. 86, S.,

A bill to appropriate a sum of money therein named to the Fond du Lac Relief Society, for the maintenance of a Home for the Friendless.

No. 87, S.,

A bill to appropriate to the Cadle Home, of Green Bay, five hundred dollars.

No. 88, S.,

A bill to appropriate to St. Luke's Hospital, of Racine, five hundred dollars.

No. 91, S.,

A bill to appropriate a sum of money to the St. Nazian Society, of Manitowoc.

No. 99, S.,

A bill to appropriate to the Milwaukee Industrial School, a sum of money therein named.

And has refused to concur in Senate amendments to,

No. 40, A.,

A bill relating to certain duties of the clerks or their deputies in circuit, county, and municipal courts in the State of Wisconsin.

And asks for a committee of conference on the same.

The committee on the part of the Assembly is Messrs. Keogh, Fisk, and Ringle.

The President appointed as managers on the part of the Senate, Senators H. N. Davis, Blair, and Mitchell.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof :

MR. PRESIDENT:—I am directed to inform you that the Assembly has concurred in,

No. 298, S.,

A bill to apportion the State into Senate and Assembly districts.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof :

MR. PRESIDENT:—I am directed to inform you that the Assembly has amended, and adopted as amended,

Jt. Res. No. 25, S.,

For a committee of investigation to examine certain accounts.

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#### ASSEMBLY MESSAGE CONSIDERED.

The question being on the adoption of,

The first amendment to the resolution adopted by the Assembly,

On Jt. Res. No. 25, S.,

Senator Barron moved the previous question, which motion prevailed by the following vote:

Ayes—Senators Baker, Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Nevins, Potter, Rounds, Schuette, Tate, Treat, and Welch—20.

Nays—Senators Barney, Cavanagh, R. E. Davis, Eastman, Hudd, Jacobs, Mitchell, and Silverthorn—8.

The first amendment was adopted by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, Mitchell,

Nevins, Potter, Rounds, Ryan, Schuette, Silverthorn, Tate, and Welch—28.

The second amendment was lost by the following vote:

Ayes—Senators Barney, Campbell, Cavanagh, R. E. Davis, Downs, Eastman, Hathaway, Hudd, Jacobs, Mitchell, Ryan, Schuette, Silverthorn, and Welch—14.

Nays—Senators Barden, Barron, Blair, Bryant, H. N. Davis, Douglas, Farr, Flint, Hiner, Nevins, Potter, Rounds, Tate, and Treat—14.

Senator Hudd, moved to reconsider the vote by which the second amendment was rejected.

Senator Barron moved the previous question.

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Senator R. E. Davis moved,

#### A CALL OF THE SENATE.

The call being sustained,

The roll was called and all Senators found to be present except Senators McFarland and Reed.

The Sergeant-at-Arms was instructed to procure the attendance of the absent Senators.

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Senators Barron moved that all further proceedings under the call be dispensed with.

Which motion prevailed by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Mitchell, Nevins, Potter, Rounds, Schuette, Scott, Tate, Treat, and Welch—24.

Nays—Senators R. E. Davis, Eastman, Hudd, Ryan, and Silverthorn—5.

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Senator R. E. Davis moved to adjourn,

The motion was rejected by the following vote:

Ayes—Senators Hudd, Jacobs, McFarland, Mitchell, and Ryan—5.

Nays—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Nevins, Potter, Reed, Rounds, Schuette, Scott, Silverthorn, Tate, Treat, and Welch—26.

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Senator Hudd's motion to reconsider,

Was then lost by the following vote:

Ayes—Senators Barney, Campbell, Cavanagh, R. E. Davis, Downs,

Eastman, Hathaway, Hudd, Jacobs, McFarland, Mitchell, Reed, Ryan, Silverthorn, Schuette, and Welch—16.

Nays—Senators Baker, Barden, Barron, Blair, Bryant, H. N. Davis, Douglas, Farr, Flint, Hiner, Nevins, Potter, Rounds, Scott, Tate, and Treat—16.

The third amendment was adopted by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Campbell, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Jacobs, Mitchell, Nevins, Potter, Schuette, Tate, and Treat—23.

Nays—Senator Bryant—1.

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### ASSEMBLY MESSAGE CONSIDERED.

No. 251, A.,

Was referred to the Committee on Judiciary.

The amendments to,

Nos. 145, 54, and 176, S.,

Were concurred in.

The Senate refused to concur in the Assembly amendments to,  
No. 118, S.

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### SENATE BILLS ON THEIR ENGROSSMENT.

No. 254, S.,

A bill to appropriate to Atwood & Culver the sum of money therein named.

Was ordered engrossed for a third reading.

On motion of Senator Barron,

The rules were suspended, and the bill was read a third time and passed by the following vote:

Ayes—Senators Baker, Barney, Barron, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, Mitchell, Nevins, Reed, Rounds, Ryan, Scott, Tate, and Treat—24.

The amendments to,

No. 211, S.,

A bill to confer upon Christian Buckhardt and his heirs and assigns, certain franchises upon Willow River, St. Croix county.

Were adopted; and,

On motion of Senator Barron,

The rules were suspended, and the bill was read a third time and passed.

And the title amended so as to read as follows:

A bill to change the time for holding the circuit court in Grant county, in the fifth circuit, and to fix the days of commencement of the terms of the circuit court in the fifth judicial circuit.

The amendments to,

No. 235, S.,

A bill relating to the publication of the Legislative Manual, and amendatory of chapter 72, laws of 1873.

Reported by the committee, were adopted.

Senator Barron offered the following amendment: Amend section 1 by adding at the end thereof, *provided*, that such other matter shall not include Jefferson's Manual.

The amendment was adopted.

On motion of Senator Barron,

The rules were suspended, and the bill was read a third time and passed by the following vote:

Ayes—Senators Baker, Barden, Barron, Blair, H. N. Davis, Eastman, Farr, Flint, Hiner, Rounds, Scott, Silverthorn, and Tate—13.

Nays—Senators Barney, Bryant, Campbell, Cavanagh, R. E. Davis, Hathaway, Hudd, Jacobs, McFarland, Mitchell, Ryan, and Treat—12.

No. 9, S.,

A bill relating to the preservation of game and amendatory of section 1, of chapter 139, of the general laws of 1875, entitled, an act to amend section 3, of chapter 78, of the general laws of 1867, entitled, "an act for the preservation of game."

No. 74, S.,

A bill to prevent the hunting of deer with dogs in the county of Burnett.

No. 179, S.,

A bill to protect wild pigeons in their nesting-places.

Were indefinitely postponed.

The amendments to,

No. 286, S.,

A bill to detach the county of Barron from the eighth judicial circuit, and attach said county to the eleventh judicial circuit, and to fix the terms of court therein.

Were adopted, and,

On motion of Senator Barden,

The rules were suspended, and the bill was read a third time and passed.

And the title amended to read as follows:

A bill to enable the common council of the city of Portage to make an appropriation for celebrating the 4th of July.

The Senate refused to order the engrossment of,

No. 262, S.,

A bill to amend section 25, of chapter 152, general laws of 1869, entitled, "an act to codify the laws of this State relating to highways and bridges."

No. 297, S.,

A bill in recognition of a certain claim against the State, and to appropriate money in settlement thereof, and for other purposes.

Was refused engrossment by the following vote:

Ayes—Senators Barden, Barron, Bryant, H. N. Davis, Douglas,

Hiner, Hudd, McFarland, Mitchell, Nevins, Rounds, Silverthorn, and Tate—13.

Nays—Senators Baker, Blair, Campbell, Cavanagh, Downs, Eastman, Hathaway, Jacobs, Potter, Ryan, Schuette, Treat, and Welch—13.

No. 107, S.,

A bill to provide for the increase of State school money, and to raise an annual State tax for that purpose.

Was indefinitely postponed.

On motion of Senator Bryant,

The vote by which the bill was indefinitely postponed,

Was reconsidered.

The question being on the indefinite postponement of the bill.

The Senate refused to indefinitely postpone it by the following vote:

Ayes—Senators Baker, Blair, Campbell, H. N. Davis, Douglas, Eastman, Farr, and Potter—8.

Nays—Senators Barden, Barney, Bryant, Cavanagh, R. E. Davis, Downs, Hiner, Jacobs, Mitchell, Nevins, Reed, Rounds, Ryan, Schuette, Tate, and Treat—16.

On motion of Senator R. E. Davis,

The rules were suspended and the bill was read a third time and passed by the following vote:

Ayes—Senators Barden, Barney, Bryant, Cavanagh, R. E. Davis, Downs, Hiner, Hudd, Mitchell, Nevins, Reed, Rounds, Ryan, Schuette, Tate, Treat, and Welch—17.

Nays—Senators Baker, Blair, Campbell, H. N. Davis, Eastman, Farr, Flint, Hathaway, and Potter—9.

On motion of Senator Barron,

The rules were suspended and,

No. 299, S.,

A bill to provide for levying a State tax for the year 1876.

Was read a third time and passed by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Blair, Bryant, Campbell, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Jacobs, McFarland, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Tate, and Treat—31.

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#### ASSEMBLY BILLS ON THEIR THIRD READING.

No. 46, A.,

A bill to amend chapter 18, of the revised statutes, entitled, "of assessment and collection of taxes."

No. 92, A.,

A bill to repeal section 2, of chapter 261, of the general laws for the year 1875, entitled, "an act to provide for the depositing of funds of the counties, the taxable property of which shall exceed



in valuation as fixed by the State board of equalization, the amount of thirty million of dollars, approved March 4, 1875.

No. 93, A.,

A bill to repeal part of section 1, chapter 177, general laws of 1875, entitled, an act to authorize the county board of supervisors of the county of Milwaukee to appropriate a certain sum to the county treasurer of said county, for the purpose of clerk hire, approved March 4, 1875.

No. 165, A.,

A bill to amend section 58, of chapter 152, general laws of 1869, relating to highways and bridges.

No. 186, A.,

A bill to authorize the judge of the fifth judicial circuit to employ a short-hand reporter.

No. 214, A.,

A bill relating to the duties of town officers, and amendatory of section 2, of chapter 15, of the revised statutes.

No. 234, A.,

A bill to amend sections 17, 18, and 19, chapter 89, of the revised statutes, relating to rights of widows.

No. 225, A.,

A bill to amend section 1, of chapter 311, of the private and local laws of 1862, entitled, "an act to fix the salary of the clerk of the circuit and county courts of the county of Milwaukee."

No. 263, A.,

A bill to provide for the proof of claims against the estate of deceased persons.

No. 351, A.,

A bill to provide for the better protection of life in theatres, concert-halls, lecture-rooms, and public school-houses.

No. 367, A.,

A bill to amend chapter 288, laws of 1874 entitled, an act to authorize Daniel Shaw and his associates to improve Thorn-Apple River, for log-driving purposes.

Were severally ordered to a third reading.

The amendments to,

No. 22, A.,

A bill to lay out a State road from the city of Chippewa Falls, in Chippewa county, to Medford, in Taylor county, and a road from Westboro, in Taylor county, to intersect the same.

No. 162, A.,

A bill to protect purchasers of railroad land-grant lands in this State.

No. 416, A.,

A bill to increase the efficiency of school supervision and provide just compensation therefor.

Were adopted,

And the bills were ordered to a third reading.

No. 301, A.,

A bill relating to the disposition of the real or personal property of paupers.

No. 246, A.,

A bill for the protection of land-owners against the malpractice of incompetent surveyors.

No. 217, A.,

A bill for improving that branch of the Chippewa River known as the south branch of the Wiergor River, and to authorize the collection of tolls therefor.

No. 244, A.,

A bill to amend section 3, of chapter 78, of the general laws of 1867, entitled, an act for the preservation of game.

Were indefinitely postponed.

No. 302, A.,

A bill to amend section 3, chapter 329, of the general laws of 1874, entitled, an act for the preservation of game in the State of Wisconsin.

Was laid on the table by the following vote:

Ayes—Senators Barney, Cavanagh, H. N. Davis, R. E. Davis, Douglas, Downs, Eastman, Hudd, Nevins, Potter, Ryan, Schuette, Scott, Silverthorn, Treat, and Welch—16.

Nays—Senators Barden, Barron, Blair, Bryant, Campbell, Flint, Hathaway, Hiner, Mitchell, and Reed—10.

No. 184, A.,

A bill to repeal section 3, of chapter 121, of the general laws of 1868, entitled, an act in relation to the compensation of county judges.

Was laid upon the table.

The Senate refused to order,

No. 336, A.,

A bill to appropriate a sum of money to the Southwestern Wisconsin Agricultural and Industrial Association.

To a third reading by the following vote:

Ayes—Senators Barney, Cavanagh, R. E. Davis, Downs, Flint, Hathaway, Hudd, Jacobs, McFarland, Mitchell, Nevins, Ryan, and Silverthorn—13.

Nays—Senators Baker, Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, Douglas, Eastman, Farr, Hiner, Rounds, Schuette, Scott, Tate, Treat, and Welch—17.

On motion of Senator H. N. Davis,

The rules were suspended, and,

Nos. 214, 225, 162, 93, 165, 92, 315, 91, 264, 209, 185, 261, 403, 394, 342, 77, 86, 153, 13, 353, and 367, A.,

Were read a third time and concurred in.

No. 416, A.,

Was read a third time and concurred in,

And the title amended so as to read as follows:

Amend the title by striking out the words, "and provide just compensation therefor."

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On motion of Senator H. N. Davis,  
The Senate adjourned.

7:30 o'clock, P. M.

The Senate met.  
Lieutenant-Governor presiding.

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## LEAVES OF ABSENCE.

Indefinite leave of absence was granted,  
To Senators Downs, Potter, Hudd, Silverthorn, Scott, Hathaway,  
Baker, Farr, Eastman, H. N. Davis, and Treat.

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On motion of Senator Bryant,  
A committee of conference was requested of the Assembly on,  
No. 107, A.,  
The President appointed as such committee, on part of the Senate, Senators H. N. Davis, Barron, and Mitchell.  
On motion of Senator Tate,  
No. 118, S.,  
A bill to appropriate to Reuben May a sum of money to cover his expenses in his contested election case.  
Was re-committed to the Committee on Federal Relations.

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The Committee on Federal Relations, to whom was referred,  
No. 118, S.,  
Report the same back with an amendment, and recommend its passage when so amended.

G. E. BRYANT,  
*Chairman.*

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## EXECUTIVE COMMUNICATION.

STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,  
MADISON, March 11, 1876.

*To the Honorable, the Senate:*

The following entitled bills and memorials originating in the Senate, have severally recieved the executive approval, and have been deposited in the office of the Secretary of State:

No. 20, S.,

An act to appropriate a sum of money therein named for the use of the Northern Hospital for the Insane for the payment of current expenses for the year ending March 1, 1877, and for improvements.

No. 194, S.,

An act to authorize the building of a dam in the Wisconsin River at the city of Portage.

No. 296, S.,

An act relating to the distribution of the Senate and Assembly journals, and other documents.

No. 156, S.,

An act relating to the Supreme Court.

No. 255, S.,

An act to amend chapter 113, of the private and local laws of 1867, and chapter 402, of the private and local laws of 1869, relating to the village of Shullsburg.

No. 116, S.,

An act to amend chapter 86, laws of 1872, entitled, an act conferring jurisdiction on the county court of Dodge county.

No. 18, S.,

An act to appropriate a sum of money therein named for the use of the Wisconsin Hospital for the Insane, and for the payment of the current expenses, for repairs and improvements, and for deficiency in current-expense fund.

No. 73, S.,

An act to authorize John P. Jacobson to erect and maintain a dam in Burnett county.

No. 237, S.,

An act to authorize the leasing of the labor of convicts confined in the Wisconsin State Prison.

No. 121, S.,

An act to amend chapter 80, of the general laws of 1872, entitled, "an act authorizing cities and villages to establish free public libraries and reading rooms."

No. 242, S.,

An act to appropriate to J. Henry Tate a sum of money therein named.

No. 157, S.,

An act to appropriate a sum of money for the purchase of books for the State library.

No. 180, S.,

An act to authorize the Secretary of State to order the binding of the reports of the State Board of Charities and Reform.

No. 240, S.,

An act relating to the powers of county boards of supervisors.

No. 281, S.,

An act to enable the boards of supervisors of Loraine and Milltown, in the county of Polk, to issue bonds to settle their present indebtedness.

No. 245, S.,

An act for the preservation of fish in Lake Marion, Dane county.

No. 212, S.,

An act to legalize the salary of the register of deeds of the county of Barron.

No. 261, S.,

An act to amend sections 1, 2, and 3, of chapter 299, of the laws of Wisconsin of 1875, entitled, "an act to prescribe the duties and regulate the fees of the lumber inspector of the fourth district."

No. 5, S.,

An act to authorize Leonard Guenther to erect and maintain a system of piers and booms on the Wisconsin River, in the town of Knowlton, Marathon county.

No. 44, S.,

An act to authorize the board of trustees of the village of Viroqua to remove and re-inter the remains of persons buried in the old burying-ground.

No. 144, S.,

An act to legalize the salaries of and allowances to the county officers of Burnett county.

No. 49, S.,

An act relating to the registration of electors, and amendatory of section 1, of chapter 232, of the general laws of 1875.

No. 204, S.,

An act to legalize the acts of Bently S. Phillips, a notary public for Eau Claire county.

No. 236, S.,

An act to amend section 1, of chapter 299, of the general laws of 1873, entitled, an act to amend chapter 56, general laws of 1870, entitled, an act to provide for the incorporation and government of fire and inland navigation insurance companies.

M. C. No. 15, S.,

For the increase of mail service on mail-route number 25,151, from Lake Five to Hartford, in Washington county, Wisconsin.

M. C. No. 11, S.,

Relating to Manitowoc and Two Rivers Harbor.

M. C. No. 9, S.,

For an appropriation to improve the navigation of the St. Croix River.

M. C. No. 14, S.,

For amendments to the patent laws.

No. 233, S.

An act to amend section 1, of chapter 33, of the general laws of 1874, relating to permanent land-marks.

No. 127, S.,

An act to amend chapter 171, of the private and local laws of 1868, entitled, an act to amend chapter 30, of the private and local laws of 1853, entitled, 'an act to incorporate the Wisconsin River Improvement Company, and to amend chapter 171, of the private and local laws of 1866, amendatory thereof.

No. 268, S.,

An act to require, village or city authorities to construct vaults or structures for the temporary keeping of dead, before interment in certain cases.

No. 160, S.,

An act to amend chapter 184, laws of Wisconsin, of 1875.

No. 146, S.,

An act to provide for the more efficient protection from trespassers on certain lands embraced in the grants made by Congress to the State of Wisconsin, by acts approved respectively, June 3, 1856, and May 5, 1864, and of the timber standing and growing thereon.

M. C. No. 12, S.,

Memorial to Congress to provide fish-ways at the dams and locks of the Fox River, in the State of Wisconsin.

No. 12, S.,

An act to facilitate the artificial propagation and preservation of fish, and appropriating a certain sum therein named, for that purpose, and to purchase a site for a State hatching-house, and the erection thereof.

H. LUDINGTON,  
*Governor.*

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#### REPORTS OF COMMITTEES.

The Committee on Judiciary, to which was referred,

No. 251, A.,

A bill to amend section 18, chapter 179, laws of 1874, entitled, an act to consolidate and codify the various laws of this State relating to excise and the sale of intoxicating liquors.

Has had the same under consideration and instructed me to report it back without recommendation.

H. D. BARRON,  
*Chairman.*

The Committee on Federal Relations, to which was referred,

The message of his excellency the Governor, communicating certain joint resolutions of the Minnesota legislature, asking a committee of conference of the two States in regard to the Superior Harbor.

Has had the same under consideration.

Your committee find that though said resolutions were adopted in the early part of the session of that legislature, they were not communicated to the Governor of this State until about the close of the legislature of Minnesota, some weeks after their adoption, and too late for action by this legislature.

Your committee therefore recommend that no further action on said resolution be had.

GEO. E. BRYANT,  
*Chairman.*

The recommendation of the committee was concurred in.

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The Committee on Railroads has had under consideration,  
No. 280, A.,

A bill in relation to the North Wisconsin Railway.

And have instructed me to report the same back, recommending concurrence.

W. H. HINER,  
*Chairman.*

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The Joint Committee on Claims, to which was referred,  
No. 183, A.,

A bill to organize a State Board of Charities and Reform, and define its duties.

Has considered the same, and report it back with amendment and recommend concurrence when so amended.

FRANCIS CAMPBELL,  
*Chairman.*

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On motion of H. N. Davis,

The rules were suspended; and,

The bill was read a third time, and concurred in by the following vote:

Ayes—Senators Baker, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Eastman, Farr, Hathaway, Hiner, Nevins, Rounds, Ryan, Scott, and Tate—16.

Nays—Senators Barden, Barney, Cavanagh, Mitchell, and Schuette—5.

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#### REPORTS OF SELECT COMMITTEES.

The select committee, to whom was referred,

No. 36, A.,

A bill to repeal chapter 248, of the laws of Wisconsin, 1873, entitled, an act to amend chapter 115, of the general laws of 1869, entitled, an act in relation to the courts of Milwaukee county, Wisconsin.

No. 60, A.,

A bill to repeal chapter 44, of the laws of Wisconsin, 1874, an act to amend chapter 248, of the laws of 1873, entitled, an act to amend chapter 115, of the general laws of 1869, entitled, an act in relation to the courts of the county of Milwaukee, Wisconsin.

Have had the same under consideration, and beg leave to report the same back without recommendation.

W. H. JACOBS,  
JOHN L. MITCHELL,  
*Committee.*

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The special committee, to whom was referred,  
No. 218, S.,

A bill to appropriate to the Columbus Union and Agricultural Society a sum of money.

Respectfully report that the same has been considered, and respectfully report the same back to the Senate with an amendment, and recommend its passage when so amended.

L. W. BARDEN,  
*Committee.*

The amendment was adopted; and,  
On motion of Senator Barden,

The rules were suspended; and the bill was passed by the following vote:

Ayes—Senators Barden, Barron, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Eastman, Flint, Hathaway, Hiner, Hudd, Jacobs, Mitchell, Nevins, Potter, Reed, Rounds, Ryan, Schuette, Scott, Silverthorn, Treat, and Welch—25.

Nays—Senators Baker, Barney, and Cavanagh—3.

The title was amended so as to read as follows:

A bill to authorize the Columbus Union Fair Agricultural Society to file reports, and for other purposes.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has passed, and asks the concurrence of the Senate in,

No. 280, A.,

A bill in relation to the North Wisconsin Railway.

No. 340, A.,

A bill to authorize the Secretary of State to audit certain expenses incurred by the State treasury-agent, and to appropriate an amount to pay the same.

And has concurred in,

Jt. Res. No. 26, S.,

Authorizing the Secretary of State and State Treasurer to construe the act authorizing the appropriation to the Wisconsin State Hospital for the Insane, for the present year, as covering the months of January and February of the year 1876.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has refused to concur in Senate amendments to,



No. 107, S.,

A bill to amend chapter 500, of the private and local laws of the year 1868, entitled, an act to consolidate and amend an act to incorporate the city of Madison, and the several acts amendatory thereof.

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ASSEMBLY MESSAGE CONSIDERED.

No. 280, A.,

Was referred to the Committee on Railroads.

No. 340, A.,

Was referred to the general file.

M. C. No. 13, S.,

Requesting an investigation into alleged frauds upon the revenue of the United States, within the State of Wisconsin,

Was laid on the table by the following vote:

Ayes—Senators Baker, Barden, Barron, Blair, Bryant, Campbell, Douglas, Downs, Farr, Hathaway, Hiner, Rounds, Schuette, Scott, Tate, and Treat—16.

Nays—Senators Barney, Cavanagh, Eastman, Hudd, Jacobs, Mitchell, and Silverthorn—7.

The amendments to,

No. 118, S.,

A bill to appropriate to Reuben May a sum of money to cover his expenses in contested election case,

Were adopted.

And the bill was concurred in by the following vote:

Ayes—Senators Baker, Barney, Barron, Blair, Bryant, Cavanagh, H. N. Davis, Douglas, Eastman, Hathaway, Hiner, Jacobs, Mitchell, Nevins, Reed, Rounds, Scott, Silverthorn, Tate, and Treat—20.

Nays—Senators Barden, Farr, Schuette, and Welch—4.

No. 280, A.,

A bill in relation to the North Wisconsin Railway.

Was concurred in,

And the title amended so as to read as follows:

A bill in relation to lands granted by Congress to the State to aid in the building of railways.

No. 133, A.,

A bill to organize a State Board of Charities and Reform, and define its duties.

Was referred to the Committee on Claims.

No. 84, A.,

A bill to authorize the common council of Milwaukee to buy or build a dredge, tug-boat, and scows for use of said city.

No. 263, A.,

A bill to provide for proof against the estate of deceased persons.

No. 234, A.,

A bill to amend sections 17, 18, and 19, chapter 89, of the revised statutes, relating to rights of widows.

Jt. Res. No. 5, A.,

Regarding the appointment of a commission to enquire into the feasibility of removing the State Prison.

No. 22, A.,

A bill to lay out a State road from the city of Chippewa Falls, in Chippewa county, to Medford, in Taylor county, and a road from Westboro, in Taylor county, to intersect the same.

No. 340, A.,

A bill to authorize the Secretary of State to audit certain expenses incurred by the State treasury-agent, and to appropriate an amount sufficient to pay the same.

No. 251, A.,

A bill to amend section 18, chapter 179, laws 1874, entitled, an act to consolidate and codify the various laws of our State, relating to excise and the sale of intoxicating liquors.

Were indefinitely postponed.

No. 186, A.,

A bill to authorize the judge of the 5th judicial circuit to employ a short-hand reporter.

No. 351, A.,

A bill to provide for the better protection of life in theaters, concert-halls, lecture-rooms, and public school-houses.

Jt. Res. No. 6, A.,

Tendering thanks to the President of the United States, and other officers.

Were severally read a third time and concurred in.

The Senate refused to concur in,

No. 17, A.,

A bill to repeal chapter 67, laws of 1871, entitled, "an act to encourage the raising of sheep and discourage the raising of dogs."

By the following vote:

Ayes—Senators Baker, Campbell, Downs, Eastman, Hudd, Scott, Silverthorn, and Treat—8.

Nays—Senators Barden, Barney, Barron, Blair, Bryant, Douglas, Farr, Flint, Hathaway, Hiner, Jacobs, Mitchell, Nevins, Potter, Reed, Schuette, Tate, and Welch—18.

No. 417, A.,

A bill to appropriate to Joseph Bennett a sum of money therein named.

Was read a third time, and concurred in by the following vote:

Ayes—Senators Baker, Barron, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Eastman, Flint, Hathaway, Hiner, Mitchell, Nevins, Rounds, Schuette, Scott, Silverthorn, Tate and Treat—20.

Nays—Senator Barden—1.

No. 379, A.,

A bill to appropriate a sum of money sufficient to pay for printing the school-laws, and for binding 200 copies of the same.

Was read a third time and concurred in by the following vote:

Ayes—Senators Baker, Barden, Barney, Blair, Bryant, Campbell, H. N. Davis, Douglas, Downs, Eastman, Flint, Hathaway, Hi-

ner, Hudd, Jacobs, Mitchell, Nevins, Reed, Rounds, Schuette, Scott, Silverthorn, Tate, and Treat—24.

Nays—Senators Barron and Potter—2.

No. 377, A.,

A bill to appropriate to L. S. Dixon, a sum of money therein named.

Was read a third time and concurred in by the following vote:

Ayes—Senators Barney, Barron, Blair, Bryant, H. N. Davis, Douglas, Downs, Eastman, Flint, Hathaway, Hiner, Hudd, Jacobs, Mitchell, Nevins, Potter, Rounds, Schuette, Scott, Silverthorn, and Tate—21.

Nays—Senators Barden, Reed, Treat, and Welch—4.

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On motion of Senator Baker,  
The Senate took a recess of 30 minutes.

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The Senate met pursuant to adjournment.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk, thereof:

MR. PRESIDENT: I am directed to inform you that the Assembly has adopted, and asks the concurrence of the Senate in,

Jt. Res. No. 24, A.,

Providing for the pay of chaplains of the Assembly for the session of 1876.

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#### ASSEMBLY MESSAGE CONSIDERED.

To Jt. Res. No. 24, A.,

Senator Welch offered the following amendment:

Amend by inserting before the word "Assembly," the words "Senate and."

The amendment was adopted.

And the resolution as amended, was adopted by the following vote:

Ayes—Senator Barden, Barney, Barron, Bryant, Campbell, Cavanagh, H. N. Davis, Douglas, Downs, Farr, Flint, Hiner, Mitchell, Nevins, Potter, Reed, Rounds, Scott, Silverthorn, Tate, and Treat—21.

Nays—Senators Eastman and Welch—2.

On motion of Senator Baker,  
The Senate took a recess of 15 minutes.

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The Senate met pursuant to adjournment.

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No. 322, S.,  
To amend chapter 263, of the laws of 1873, entitled, an act to prescribe the measure of damages in certain actions for the wrongful cutting of timber.  
Was indefinitely postponed.

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Senator Potter moved the Senate take a recess until 10:30 p. m.  
Which motion prevailed.

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The Senate met pursuant to adjournment.

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Senator Hudd moved to reconsider the vote by which the Senate indefinitely postponed

No. 340, A.,

Which motion prevailed by the following vote:

Ayes—Senators Barney, Barron, Campbell, Cavanagh, Eastman, Hiner, Hudd, Jacobs, Mitchell, Reed, Ryan, and Silverthorn—12.

Nays—Senators Barden, Douglas, Downs, Flint, Hathaway, Potter, Rounds, Schuette, Scott, Tate, Treat, and Welch—12.

The President voting aye.

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Senator Barden moved,

#### A CALL OF THE SENATE.

The roll was called, and all Senators were found to be present, except Senators H. N. Davis, R. E. Davis, Farr, McFarland, and Nevins.

Senator Barron moved that further proceedings under the call be dispensed with.

Which motion was lost by the following vote:

Ayes—Senators Barney, Barron, Bryant, Campbell, Cavanagh, Downs, Eastman, Flint, Hiner, Hudd, Mitchell, Nevins, Scott, and Silverthorn—14.

Nays—Senators Barden, Douglas, Hathaway, Jacobs, Potter, Reed, Rounds, Ryan, Schuette, Tate, Treat, and Welch—12.

Senator Barron moved to adjourn.

Which motion was lost by the following vote:

Ayes—Senators Barden, Barney, Campbell, Cavanagh, Douglas, Jacobs, Mitchell, Schuette, Silverthorn, and Treat—10.

Nays—Senators Baker, Barron, Bryant, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Hudd, Nevins, Potter, Reed, Rounds, Ryan, Scott, Tate, and Welch—18.

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Senator Tate moved that further proceedings under the call be dispensed with.

Which motion prevailed by the following vote:

Ayes—Senators Baker, Barron, Bryant, Campbell, Cavanagh, Eastman, Flint, Hathaway, Hiner, Hudd, Mitchell, Nevins, Rounds, Schuette, Scott, Silverthorn, Tate, and Welch—19.

Nays—Senators Barden, Farr, Jacobs, Potter, Reed, Ryan, and Treat—7.

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The bill was indefinitely postponed by the following vote:

Ayes—Senators Barden, Bryant, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Potter, Rounds, Schuette, Scott, Tate, Treat, and Welch—15.

Nays—Senators Barney, Barron, Cavanagh, Eastman, Hiner, Hudd, Jacobs, Mitchell, Reed, Ryan, and Silverthorn—11.

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#### REPORT OF COMMITTEE OF CONFERENCE.

The committee of conference upon the disagreement of the two Houses upon amendments of the Senate to,

No. 107, A.,

A bill to amend chapter 500, of the private and local laws of the year 1868, entitled, "an act to consolidate and amend an act to incorporate the city of Madison, and the several acts amendatory thereof."

Has had the same under consideration, and recommend that the Assembly recede from its non-concurrence in the Senate amendment.

H. D. BARRON,  
H. N. DAVIS,  
J. L. MITCHELL,  
*On part of Senate.*  
JAS. K. SCRIBNER,  
C. E. BOOTH,  
A. O. DOLE,  
*On part of Assembly.*

## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk, thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has concurred in the Senate amendments to,  
Jt. Res. No. 24, A.,

Providing for pay for chaplains of the Assembly for the session of 1876.

## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has concurred in Senate amendment to Assembly amendments to,  
No. 118, S.,

A bill to appropriate to Reuben May a sum of money to cover his expenses, in contested election case.

## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has amended, and concurred in as amended,  
No. 188, S.,

A bill to appropriate to the Superintendent of Public Property the sum therein named, for the use of the State.

And has amended the title so as to read as follows:

A bill to appropriate money for the purchase of stationery for the use of the State.

And that the Assembly has receded from its amendment to,  
Jt. Res. No. 25, S.,

For a committee of investigation to examine certain accounts.

## ASSEMBLY MESSAGE CONSIDERED.

The Senate refused to concur in the Assembly amendments to,  
No. 188, S.,

And, on motion of Senator Potter,

A Committee of Conference was requested of the Assembly on this bill.

The President appointed as such committee on part of Senate, Senators Hiner, Reed, and Schuette.

## REPORT OF CONFERENCE COMMITTEE.

The committee of conference on,

No. 235, A.,

Report the following as an amendment or substitute for section 1, of said bill and recommend the adoption of the same:

Amend section 1, by striking all out after enacting clause and insert:

Section 1. Whenever in the opinion of any probate judge, in any proceedings in probate, the interests of the public or the parties interested will be subserved by the publication of any notice required by law to be published in proceedings in probate courts, in any other than the English language, such judge shall have authority to order such publication, in some newspaper printed in other than the English language; and when so ordered, shall be published in such newspaper in the English language. And such publication so made shall be deemed sufficient legal notice.

T. R. HUDD,

*On part of Senate.*

EDWARD LEES,

*On part of Assembly.*

The report of the committee was agreed to

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has concurred in,

No. 299, S.,

A bill to provide for levying a State tax for the year 1876.

And has amended and concurred in,

Jt. Res. No. 21, S.,

Relating to the adjournment of the legislature.

Amend the resolution so that no more business be transacted after 11 o'clock, a. m., Monday, except to receive and act upon messages, and that the final adjournment take place on Tuesday at 12 o'clock.

The amendments were adopted by the following vote:

Ayes—Senators Baker, Barden, Barney, Barron, Bryant, Campbell, H. N. Davis, Douglas, Flint, Hiner, Hudd, Mitchell, Nevins, Potter, Reed, Rounds, Schuette, Scott, Treat, and Welch—20.

Nays—Senators Cavanagh, Downs, Eastman, Farr, Hathaway, Jacobs, Ryan, Silverthorn, and Tate—9.

And the resolution as amended was concurred in.

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Senator Welch moved that when the Senate adjourn it be until 9 o'clock, Monday morning.

Which motion prevailed.

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#### RESOLUTIONS INTRODUCED.

By Senator Barron:

Res. No. 54, S.,

*Resolved*, That during the remainder of the session no Senator

shall speak on any bill, or in re-  
utes.

The resolution was adopted.

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Senator Hudd moved to adjourn until nine o'clock Monday morning.

Which motion was lost by the following vote:

Ayes—Senators Baker, Barney, Cavanagh, Eastman, Hudd, Jacobs, Mitchell, Reed, Ryan, and Silverthorn—10.

Nays—Senators Barden, Barron, Bryant, Campbell, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Nevins, Potter, Rounds, Schuette, Scott, and Tate—17.

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Senator Barney moved that the Senate adjourn.

Which motion was lost by the following vote:

Ayes—Senators Barney, Cavanagh, Eastman, Hudd, Jacobs, Mitchell, Reed, Ryan, and Silverthorn—9.

Nays—Senators Baker, Barden, Barron, Bryant, Campbell, H. N. Davis, Douglas, Downs, Farr, Flint, Hathaway, Hiner, Nevins, Potter, Rounds, Schuette, Scott, Tate, and Treat—19.

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Senator Ryan moved

#### A CALL OF THE SENATE.

The call being sustained,

The roll was called and all the Senators were found to be present, except Senators Blair, R. E. Davis, and McFarland.

Senator Barden moved that further proceedings under the call be dispensed with.

The motion prevailed by the following vote:

Ayes—Senators Baker, Barden, Barron, Bryant, Campbell, H. N. Davis, Douglas, Downs, Eastman, Farr, Flint, Hathaway, Hiner, Nevins, Potter, Rounds, Schuette, Scott, Tate, Treat, and Welch—21.

Nays—Senators Barney, Cavanagh, Hudd, Jacobs, Mitchell, Reed, Ryan, and Silverthorn—8.

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Senator Barron moved the previous question.

Which motion prevailed by the following vote:

Ayes—Senators Barden, Barron, Bryant, Campbell, H. N. Davis, Douglas, Downs, Flint, Hathaway, Hiner, Nevins, Potter, Rounds, Schuette, Scott, Tate, and Treat—17.

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Nays—Senators Barney, Cavanagh, Farr, Hudd, Jacobs, Mitchell, Reed, Ryan, and Silverthorn—9.

The question being,

Shall the bills be taken up?

The motion prevailed by the following vote:

Ayes—Senators Barden, Barron, Bryant, Campbell, H. N. Davis, Douglas, Downs, Flint, Hathaway, Hiner, Nevins, Potter, Rounds, Schuette, Scott, Tate, and Treat—17.

Nays—Senators Barney, Cavanagh, Eastman, Farr, Hudd, Jacobs, Mitchell, Reed, Ryan, and Silverthorn—10.

No. 36, A.,

A bill to repeal chapter 248, of the laws of Wisconsin, of 1873, entitled, "an act to amend chapter 115, of the general laws of 1869, entitled, 'an act in relation to the courts of Milwaukee county, Wisconsin.'"

The bill was concurred in by the following vote:

Ayes—Senators Baker, Barden, Barron, Bryant, H. N. Davis, Douglas, Downs, Flint, Hathaway, Hiner, Nevins, Potter, Schuette, Scott, Tate, and Treat—16.

Nays—Senators Barney, Campbell, Cavanagh, Eastman, Hudd, Jacobs, Mitchell, Reed, Ryan, and Silverthorn—10.

No. 60, A.,

A bill to repeal chapter 44, laws of 1874, an act to amend chapter 248, laws of 1873, entitled, an act to amend chapter 115, general laws of 1869, entitled, an act in relation to the courts of the county of Milwaukee.

Was concurred in by the following vote:

Ayes—Senators Baker, Barden, Barron, Bryant, Campbell, H. N. Davis, Douglas, Downs, Flint, Hathaway, Hiner, Nevins, Potter, Schuette, Scott, Tate, and Treat—17.

Nays—Senators Barney, Cavanagh, Eastman, Hudd, Jacobs, Mitchell, Reed, Ryan, and Silverthorn—9.

Senator Potter moved that the vote by which the bill was concurred in,

Be reconsidered, and that motion laid upon the table.

Which motion prevailed.

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On motion of Senator Campbell,  
The Senate adjourned,

MONDAY, MARCH 13, 1876.

10 O'CLOCK, A. M.,

The Senate met pursuant to adjournment.

The Lieutenant Governor presiding.

The calling of the roll was dispensed with.

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#### RESOLUTION INTRODUCED.

By Senator Bryant:

Jt. Res. No. 27, S.,

*Resolved by the Senate, the Assembly concurring,* That the Superintendent of Public Property be and he is hereby required to deliver to the revisers appointed under the provisions of chapter 203 of the laws of 1875, such stationery as shall be necessary for their use in performing the duties required of them.

The rules were suspended, and the resolution was adopted.

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#### REPORTS OF COMMITTEES.

The Committee on Enrolled Bills have examined and find correctly enrolled the following bills:

No. 148, S.,

An act to confer on certain associations of the citizens of the State of Wisconsin the powers and immunities of corporations and bodies politic in law.

No. 112, S.,

An act to authorize the county of Burnett to build and maintain a free bridge across the St. Croix River in town thirty-eight, north of range twenty west.

No. 170, S.,

An act to authorize the appointment of phonographic reporters for certain counties in the eleventh judicial circuit.

No. 291, S.,

An act to amend chapter 203, of the laws of Wisconsin of 1875, entitled, an act to provide for the revision of the statutes.

No. 45, S.,

An act repealing chapter 159, of the laws of 1874, and chapter 268, of the laws of 1873, relating to taxes for special road purposes in Barron county.

No. 189, S.,

An act to incorporate the Fireman's Association, of the city of Menasha.

No. 30, S.,

An act to amend chapter 152, of the general laws of 1869, entitled, an act to codify the laws of this State relating to highways and bridges.

No. 42, S.,

An act to amend an act, entitled, an act to incorporate the Milwaukee & Beloit Railroad Company, approved March 29, 1855, as amended by chapter 364, of the private and local laws of 1864, and again amended by chapter 294, of the private and local laws of 1870, approved March 14, 1870.

No. 272, S.,

An act to amend chapter 444, of the general laws of 1864, and section 1, of chapter 282, of the general laws of 1875.

No. 209, S.,

An act to amend section 76, of chapter 142, of the revised statutes of the State of Wisconsin, entitled, of the partition of lands owned by several persons.

No. 256, S.,

An act to provide for the election of justices of the peace in the city of Watertown.

No. 273, S.,

An act for the construction of a dam on Otter Creek, township 40, range 18 east, in Oconto county, Wisconsin, and maintain the same for manufacturing purposes.

No. 215, S.,

An act to codify and consolidate all laws in relation to town insurance companies.

No. 271, S.,

An act relating to the discontinuance of roads by user, and amendatory of section 25, of chapter 19, of the revised statutes, entitled, roads and bridges.

No. 93, S.,

An act to repeal chapter 348, of the laws of Wisconsin of 1874, entitled, "an act to amend chapter 46, of the general laws of 1869, entitled, 'an act to protect the lands and timber granted to the St. Croix and Lake Superior Railroad Company.'"

No. 145, S.,

An act to amend chapter 46, of the general laws of 1869, entitled, an act to protect the lands and timber thereon granted to the St. Croix & Lake Superior Railroad Company.

Jt. Res. No. 23, S.,

Joint resolution relating to the location of the State Prison and a Hospital for the Incureable Insane.

No. 136, S.,

An act to provide for the rebuilding of a portion of the Institution for the Education of the Blind, and to appropriate a sum of money therein named for that purpose.

No. 299, S.,

An act to provide for the levying a State tax for the year 1876.

Jt. Res. No. 16, S.,

Joint resolution to amend section 4, of article 7, of the constitution of the State of Wisconsin, providing for the enlargement of the Supreme Court to five judges.

Jt. Res. No. 25, S.,

For a committee of investigation to examine certain accounts.

No. 206, S.,

An act to amend section 38. and section 57, of chapter 243, laws of 1874, entitled, an act relating to public printing.

No. 99, S.,

An act to appropriate to the Milwaukee Industrial School a sum of money therein named.

No. 80, S.,

An act to appropriate to the St. Joseph's Orphan Asylum, of Milwaukee, a sum of money therein named.

No. 82, S.,

An act to appropriate to the Home of the Friendless, of Milwaukee, a sum of money therein named.

No. 118, S.,

An act to appropriate to Reuben May a sum of money to cover his expenses in contested election case.

No. 88, S.,

An act to appropriate to St. Luke's Hospital, of Racine, five hundred dollars.

No. 81, S.,

An act to appropriate to the St. Aemelianus Orphan Asylum, of Milwaukee, a sum of money therein named.

No. 91, S.,

An act to appropriate a sum of money to the St. Nazian Society, of Manitowoc.

Jt. Res. No. 26, S.,

Joint resolution authorizing the Secretary of State and State Treasurer to construe the act authorizing the appropriation to the Wisconsin State Hospital for the Insane for the present year, as covering the months of January and February, of the year 1876.

No. 254, S.,

An act to appropriate to Atwood & Culver the sum of money therein named.

No. 201, S.,

An act relating to hawkers and peddlers, and amendatory of chapter 72, of the laws of 1870.

No. 141, S.,

An act to further provide against injury to life and property upon railways.

No. 265, S.,

An act relating to the issue of State warrants upon the requisition of the executives of other States.

No. 218, S.,

An act to authorize the Columbus Union Fair Agricultural Society to file reports, and for other purposes.

No. 228, S.,

An act to amend certain sections of chapter 13, of the revised statutes, entitled, of counties and county officers.

No. 176, S.,

An act to facilitate the driving of logs down the rivers of this State and their tributaries.

No. 229, S.,

An act to provide for the numbering consecutively of instruments or writings offered for record, or to be filed in the office of registers of deeds.

No. 186, S.,

To legalize the acts of the town of Stanfold, Barron county.

No. 279, S.,

An act to repeal a portion of chapter 156, of the private and local laws of 1869, entitled, an act declaring Balsam Branch, Sucker Lake, and Sucker Branch, in the county of Polk, navigable for the purpose of driving logs, and also to repeal a portion of chapter 430, of the private and local laws of 1868, entitled, an act to incorporate the Apple River Log-Driving Company.

No. 135, S.,

An act for the preservation of fish in Long Lake, in the county of Barron and in the county of Burnett.

No. 211, S.,

An act to change the time for holding the circuit court in Grant county, in the fifth circuit, and to fix the day of commencement of the term of the circuit court in the fifth judicial circuit.

No. 122, S.,

An act to extend the time for settlers upon certain railroad land-grant lands to acquire title thereto.

No. 115, S.,

An act to establish the salaries of State officers.

No. 166, S.,

An act to provide for the safe keeping of public moneys and the investment of surplus funds.

No. 298, S.,

An act to apportion the State into Senate and Assembly districts.

No. 83, S.,

An act to appropriate to the St. Rose Orphan Asylum, of Milwaukee, a sum of money therein named.

No. 84, S.,

An act to appropriate to the Orphans' Association, of Milwaukee, a sum of money therein named.

No. 86, S.,

An act to appropriate a sum of money therein named to the Fond du Lac Relief Society for the maintenance of a Home for the Friendless.

No. 87, S.,

An act to appropriate to the Cadle Home, of Green Bay, five hundred dollars.

No. 54, S.,

An act to codify and consolidate the laws relating to pay and mileage of members, pay of employees, and providing for newspapers, postage-stamps, stationery, and opening of the legislature.

R. J. FLINT,

*Chairman.*

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has concurred in,

No. 229, S.,

A bill to provide for the numbering consecutively of instruments or writings, offered for record, or to be filed in the office of registers of deeds.

No. 279, S.,

A bill to repeal a portion of chapter 156, of the private and local laws of 1869, entitled, an act declaring Balsam Branch, Sucker Lake, and Sucker Branch, in the county of Polk, navigable for the purpose of driving logs, and also to repeal a portion of chapter 430, of the private and local laws of 1868, entitled, an act to incorporate the Apple River Log-Driving Company.

No. 141, S.,

A bill to further provide against injury to life and property upon railroads.

No. 211, S.,

A bill to change the time for holding the circuit court in Grant county, in the 5th circuit, and to fix the days of commencement of the time of the circuit court in the 5th judicial circuit.

No. 115, S.,

A bill to establish the salaries of the State officers.

No. 201, S.,

A bill relating to hawkers and peddlers, and amendatory of chapter 72, of the laws of 1870.

No. 265, S.,

A bill relating to the issue of State warrants upon the requisition of the executives of other States.

No. 186, S.,

A bill to legalize the acts of the town of Stanfold, Barron county.

No. 218, S.,

A bill to authorize the Columbus Fair Agricultural Society to file reports, and for other purposes.

No. 254, S.,

A bill to appropriate to Atwood & Culver the sum of money therein named.

No. 135, S.,

A bill for the preservation of fish in Long Lake, in the counties of Barron and Burnett.

No. 228, S.,

A bill to amend certain sections of chapter 13, of the revised statutes, entitled, of counties and county officers.

No. 166, S.,

A bill to provide for the safe keeping of public moneys, and the investment of surplus funds.

And has amended, and concurred in as amended,

No. 295, S.,

A bill relating to the publication of local laws.

And has concurred in the Senate amendments to Assembly amendments to,

Jt. Res. No. 21, S.,

Relating to the adjournment of the legislature.

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#### ASSEMBLY MESSAGE CONSIDERED.

The amendments to,

No. 295, S.,

Were concurred in.

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#### MISCELLANEOUS.

By Senator Barron:

Res. No. 55, S.,

*Resolved*, That the thanks of the Senate are due and are hereby tendered to Lieut.-Governor Charles D. Parker and to Hon. R. L. Potter, President *pro tem.* of the Senate, for the impartial, courteous, and competent manner with which each has discharged his duties in the presiding officer's chair.

The resolution was adopted.

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#### REPORT OF CONFERENCE COMMITTEE.

The conference committee, to whom was referred,

No. 188, S.,

A bill to appropriate money for the purchase of stationery for the use of the State.

Have had the same under consideration and recommend that the

Assembly recede from its amendment, and that the joint resolution herewith submitted be adopted.

W. H. HINER,

W. W. REED,

*On part of the Senate.*

C. S. TEEPLE,

A. T. COLBURN,

MICHAEL JOHNSON,

*On part of the Assembly.*

*Resolved by the Senate, the Assembly concurring,* That the Superintendent of Public Property be and is hereby required to file with the Secretary of State monthly, itemized bill for all moneys disbursed by him.

The rules were suspended and the resolution was adopted.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has adopted, and asks the concurrence of the Senate in,

Jt. Res. No. 25, A.,

Relating to the bridging of the Detroit River.

---

#### ASSEMBLY MESSAGE CONSIDERED.

Jt. Res. No. 25, A.,

Was concurred in.

No. 243, A.,

A bill to remit to the county of Douglas a portion of the State tax levied upon that county for the year 1875.

Was referred to the Committee on Claims.

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On motion of Senator Barron,

The amendments to,

No. 251, S.,

A bill to amend chapter 203, of the laws of Wisconsin of 1875, entitled, an act to provide for the revision of the statutes,

Were concurred in.

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Recess for 10 minutes.

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#### RESOLUTIONS INTRODUCED.

By Senator Ryan:

Jt. Res. No. 29, S.,

*Resolved by the Senate, the Assembly concurring,* That one addi-



tional member from the Senate and one additional member from the Assembly be appointed in the matter of the investigation provided for in Jt. Res. No. 25, S.

Senator Tate moved to lay the resolution on the table.

Which motion prevailed.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has concurred in,

No. 292, S.,

A bill to authorize the Governor to purchase the cabinet and library of the late Increase A. Lapham.

And has concurred in Senate amendment to,

Jt. Res. No. 6, S.,

Tendering thanks to the President of the United States and other officers.

And has adopted, and asks the concurrence of the Senate in,

Jt. Res. No. 26, S.,

Requiring the Superintendent of Public Property, to file bill of items with the Secretary of State.

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#### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has indefinitely postponed,

No. 235, S.,

A bill in relation to the publication of the Legislative Manual and amendatory of chapter 72, of the laws of 1853.

No. 257, S.,

A bill relating to the courts of Milwaukee county.

No. 104, S.,

A bill to repeal chapter 78, of the laws of 1870, entitled, an act to exempt from execution a printing press and presses, and printer's material to the amount of fifteen hundred dollars.

No. 107, S.,

A bill to provide for the increase of State school money, and to raise an annual State tax for that purpose.

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#### RESOLUTIONS INTRODUCED.

By Senator Reed:

Res. No. 56, S.,

*Resolved*, As a slight tribute to superior merit, the thanks of the

Senate are hereby tendered to Jack Turner, for the unsurpassed manner in which he has discharged the duties of Chief Clerk. The thanks of the Senate are also due to his faithful assistants.

The resolution was adopted.

By Senator Barron:

Jt. Res. No. 57, S.,

*Resolved*, That a committee of two, upon the part of the Senate, and three on the part of the Assembly, be appointed to wait upon his excellency, the Governor, and ascertain whether he has any further communications to make to the Senate or Assembly.

The resolution was adopted.

The President appointed as such committee, Senators Barron and R. E. Davis.

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has refused to concur in,

No. 286, S.,

A bill to enable the common council of the city of Portage to make an appropriation for celebrating the fourth of July.

No. 276, S.,

A bill to appropriate a sum of money therein named to the Wisconsin Dairymen's Association, for the purpose of publishing the annual report.

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### REPORT OF SELECT COMMITTEE.

The select committee, to whom was referred,

Mem. No. 163, S.,

Beg leave to report by bill.

L. W. BARDEN,  
*Chairman.*

Said bill became,

No. 300, S.,

A bill conferring certain powers on the city of Portage.

The rules were suspended and the bill was read a third time and passed.

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has concurred in,

M. C. No. 16, S.,  
For the completion of the improvement of the Wisconsin and  
Fox Rivers.

No. 300, S.,

A bill conferring certain powers on the city of Portage.

Jt. Res. No. 27, S.,

Relating to stationery for the advisory board.

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### REPORTS OF COMMITTEES.

The Committee on Enrolled Bills have examined and find correctly enrolled the following bills:

No. 295, S.,

An act relating to the publication of local laws.

No. 188, S.,

An act to appropriate to the Superintendent of Public Property the sum therein named, for the use of the State.

No. 292, S.,

An act to authorize the Governor to purchase the cabinet and library of the late Increase A. Lapham.

No. 124, S.,

An act to amend sections 4 and 5, of chapter 164, of the private and local laws of 1870, entitled, "an act to amend chapter 452, of the private and local laws of 1869, entitled, 'an act to incorporate the Nimakogan and Totogatic Dam Company.'"

M. C. No. 16, S.,

For the completion of the improvement of the Wisconsin and Fox Rivers.

No. 300, S.,

An act conferring certain powers on the city of Portage.

R. J. FLINT,  
*Chairman.*

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On motion of Senator Campbell,  
The Senate adjourned until 3 o'clock, p. m.

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2:30 O'CLOCK, P. M

The Senate met.  
The Lieutenant-Governor presiding.

## RESOLUTIONS INTRODUCED.

By Senator Schuette:

Res. No. 57, S.,

*Resolved*, That we hereby tender our thanks to all clerks of this Senate who have not already been thanked, and all employees and messenger boys, for the faithful discharge of their duties, during the session now closing.

The resolution was adopted.

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## MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has concurred in,

Jt. Res. No. 29, S.,

Appointing a committee to wait upon his excellency, the Governor.

And has appointed as such committee,

Messrs. Field, Johnson, and Reynolds, on the part of the Assembly.

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On motion of Senator R. E. Davis,

The Senate adjourned.

The Senate met.  
The Lieutenant-Governor presiding.

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### COMMUNICATIONS.

Senator Barron presented the following communication:

*To the Senate of Wisconsin:*

The Womens' State Centennial Committee request your honorable body to enter the following statement on the journal of the Senate:

The said committee commenced and have prosecuted their work under the auspices of the State Centennial Commissioners.

All our official acts have been endorsed by them; the exhibits decided upon, approved by them. We have raised by our own efforts \$3,000, and spent less than \$200 of the appropriation of \$1,000 made by the legislature of 1875. The exhibits now in process of execution will cost us \$6,000, of which \$5,000 will become the property of the State after the exhibition.

The State commission, though its Madison members assured us on their word of honor, that one-tenth of the appropriation made by the present legislature should be given to the women for their part of the Centennial enterprise.

This promise was distinctly made us for the consideration that we should not apply to the legislature for a separate appropriation.

We still trust them; we still look to them for an honorable fulfillment of their engagement, and regret that any action should have been taken by our friends in the legislature, while we are grateful for the spirit that inspired it.

MRS. J. G. THORP,  
*Chairman.*

MRS. JOHN BASCOM,  
*Secretary.*  
MADISON, Wis., March 13, 1876.

Senator Barron presented the following communication:

OFFICE LUMBER-INSPECTOR, DISTRICT No. 8,  
BARRON, March 1, 1876.

*To the Legislature of Wisconsin:*

I transmit herewith a statement of logs scaled, and lumber manufactured in this lumber district during the season of 1875:

|  |                 |
|--|-----------------|
| Amount of logs scaled.....                       | None.           |
| Amount of lumber manufactured in district.....   | 63,318,011 feet |
| Amount of shingles manufactured in district..... | 20,018,894 feet |
| Amount of lath manufactured in district.....     | 9,166,250 feet  |

J. G. JOHNSON,  
Lumber-Inspector.

### EXECUTIVE COMMUNICATION.

STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,  
MADISON, March 14, 1876.

*To the Honorable, the Senate:*

The following entitled bills, joint resolutions, and memorials, originating in the Senate, have severally received the executive approval, and have been deposited in the office of the Secretary of State:

No. 258, S.,

An act relating to trespassing on State lands, and for the repeal of chapter 21, of the general laws of 1871, entitled, an act to consolidate and amend the laws relating to trespassing on State lands.

No. 191, S.,

An act to amend chapter 133, of private and local laws of 1857, entitled, "an act to consolidate and amend the act to incorporate the city of Kenosha, and the several acts amendatory thereof."

No. 234, S.,

An act relating to the circuit court of the county of Winnebago.

No. 81, S.,

A bill to appropriate to the St. Æmelianus' Orphan Asylum, of Milwaukee, a sum of money therein named.

No. 221, S.,

An act to incorporate the city of River Falls.

No. 161, S.,

An act to lay out and establish a State road from Viroqua to Elroy.

No. 291, S.,

An act to amend chapter 203, of the laws of Wisconsin, for the year 1875, entitled, an act to provide for the revision of the statutes.

No. 82, S.,

An act to appropriate to the Home of the Friendless, of Milwaukee, a sum of money therein named.

No. 88, S.,

No. 99, S.,

A bill to appropriate to the Milwaukee Industrial School a sum of money therein named.

An act to appropriate to St. Luke's Hospital, of Racine, five hundred dollars.

No. 91, S.,

An act to appropriate a sum of money to the St. Nazian Society, of Manitowoc.

No. 118, S.,

An act to appropriate to Reuben May a sum of money to cover his expenses in his contested election case.

No. 299, S.,

A bill to provide for levying a State tax for the year 1876.

Jt. Res. No. 16, S.,

To amend section 4, of article 7, of the constitution of the State of Wisconsin, providing for the addition of two justices to the Supreme Court.

Jt. Res. No. 26, S.,

Authorizing the Secretary of State and State Treasurer to construe the act authorizing the appropriation to the Wisconsin State Hospital for the Insane, for the present year, as covering the months of January and February, of the year 1876.

Jt. Res. No. 25, S.,

For a committee of investigation to examine certain accounts.

No. 148, S.,

An act to confer on certain associations of the citizens of the State of Wisconsin, the powers and immunities of corporations and bodies politic in law.

No. 256, S.,

An act to provide for the election of justices of the peace in the city of Watertown.

No. 112, S.,

An act to authorize the county of Burnett to build and maintain a free bridge across the St. Croix River, in town thirty-eight, (38,) north of range twenty (20) west.

No. 42, S.,

An act to amend an act entitled, "an act to incorporate the Milwaukee and Beloit Railroad Company," approved March 29, 1855, as amended by chapter 364, of the private and local laws of 1864, and again amended by chapter 294, of private and local laws of 1870, approved March 14, 1870.

No. 45, S.,

An act repealing chapter 159, of the laws of 1874, and chapter 268, of the laws of 1873, relating to taxes for special road purposes in Vernon county.

No. 30, S.,

An act to amend chapter 152, of the general laws of 1869, entitled, an act to codify the laws of this State relating to highways and bridges.

No. 145, S.,

An act to amend chapter 46, of the general laws of 1869, entitled, "an act to protect the lands, and timber thereon, granted to the St. Croix & Lake Superior Railroad Company."

No. 272, S.,

An act to amend chapter 444, of the general laws of 1864, and section 1, of chapter 232, of the general laws of 1875.

No. 209, S.,

An act to amend section 76, of chapter 142, of the revised statutes of the State of Wisconsin, entitled, of the partition of land owned by several persons.

No. 93, S.,

An act to repeal chapter 348, of the laws of Wisconsin, of 1874, entitled, "an act to amend chapter 46, of the general laws of 1869, entitled 'an act to protect the lands and timber granted to the St. Croix and Lake Superior Railroad Company.'"

No. 166, S.,

An act to provide for the safe keeping of public moneys and the investment of surplus funds.

No. 115, S.,

An act to establish the salaries of State officers.

No. 86, S.,

An act to appropriate a sum of money therein named to the Fond du Lac Relief Society, for the maintenance of a Home for the Friendless.

No. 87, S.,

An act to appropriate to the Cadle Home, of Green Bay, five hundred dollars.

No. 83, S.,

An act to appropriate to the St. Rose Orphan Asylum, of Milwaukee, a sum of money therein named.

No. 84, S.,

An act to appropriate to the Orphans' Association, of Milwaukee, a sum of money therein named.

No. 136, S.,

An act to provide for the rebuilding of a portion of the Institute for the Education of the Blind, and to appropriate a sum of money therein named for that purpose.

No. 298, S.,

An act to apportion the State into Senate and Assembly districts.

No. 215, S.,

An act to codify and consolidate all laws in relation to town insurance companies.

No. 54, S.,

An act to codify the laws relating to pay and mileage of members, pay of employes, and provide for newspapers, postage stamps, stationery, and opening of legislature.

No. 206, S.,

An act to amend section 38, and section 57, chapter 243, laws of 1874, entitled, "an act relating to public printing."

No. 271, S.,

An act relating to the discontinuance of roads by user, and amendatory of section 85, of chapter 19, of the revised statutes, entitled, of highways and bridges.



No. 170, S.,

An act to incorporate the Fireman's Association, of the city of Menasha.

Jt. Res. 23, S.,

Relating to the location of the State Prison, and a Hospital for the Incurable Insane.

No. 295, S.,

An act relating to the publication of local laws.

No. 176, S.,

An act to facilitate the driving of logs down the rivers of this State, and their tributaries.

No. 211, S.,

An act to change the time for holding the circuit court in Grant county, in the fifth circuit, and to fix the days of commencement of the terms of the circuit court in the fifth judicial circuit.

No. 135, S.,

An act for the preservation of fish in Long Lake, in the counties of Barron and Burnett.

No. 279, S.,

An act to repeal a portion of chapter 156, of the private and local laws of 1869, entitled, an act declaring Balsam Branch, Sucker Lake, and Sucker Branch, in the county of Polk, navigable for the purpose of driving logs, and also to repeal a portion of chapter 430, of the private and local laws of 1868, entitled, "an act to incorporate the Apple River Log-Driving Company."

No. 201, S.,

An act relating to hawkers and peddlers, and amendatory of chapter 72, laws of 1870.

No. 265, S.,

An act relating to the issue of State warrants, upon the requisitions of the executives of other States.

No. 218, S.,

An act to authorize the Columbus Union Fair Agricultural Society to file reports and for other purposes.

No. 141, S.,

An act to further provide against injury to life and property from railways.

M. C. No. 16, S.,

Memorial to Congress for the completion of the improvement of the Wisconsin and Fox Rivers.

No. 122, S.,

An act to extend the time for settlers upon certain railroad land-grant lands to acquire title thereto.

No. 186, S.,

An act to legalize the acts of the town of Stanfold, Barron county.

No. 254, S.,

An act to appropriate to Atwood & Culver, a sum of money therein named.

No. 300, S.,

An act conferring certain powers on the city of Portage.

No. 229, S.,

An act to provide for the numbering consecutively of instruments or writings offered for record or to be filed in the office of registers of deeds.

No. 228, S.,

An act to amend certain sections of chapter 13, of the revised statutes, entitled, "of counties and county officers."

No. 292, S.,

An act to authorize the Governor to purchase the cabinet and library of the late I. A. Lapham.

No. 188, S.,

An act to appropriate money for the purchase of stationery for the use of the State.

No. 124, S.,

An act to amend sections 4 and 5, of chapter 164, of the private and local laws of 1870, entitled, an act to amend chapter 452, of the private and local laws of 1869, entitled, an act to incorporate the Nimakogan and Totogatic Dam Company.

HARRISON LUDINGTON,

Governor.

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### RESOLUTIONS INTRODUCED.

By Senator Barron:

Jt. Res. No. 30, S.,

*Resolved by the Senate, the Assembly concurring,* That so much of Jt. Res. No. 21, S., as fixes the time of final adjournment be and is hereby rescinded, and that the legislature will adjourn at 10:30 a. m., Tuesday, March 14, 1876.

The resolution was adopted.

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### MESSAGE FROM THE ASSEMBLY.

By R. M. STRONG, Chief Clerk thereof:

MR. PRESIDENT:—I am directed to inform you that the Assembly has concurred in Senate amendment to,

Jt. Res. No. 30, S.,

Relating to final adjournment.

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### ADJOURNMENT.

The hour of final adjournment having arrived,

The President made the followidg closing remarks:

SENATORS:—The hour named in the joint resolution of the Sen-

ate and Assembly for the final adjournment of the legislature for the year 1876, has now arrived.

Thanking the Senators, officers, and employees for their uniform courtesy, and their many acts of kindness and expressions of good will during the session, and wishing you a safe journey to your several homes, and future health and success in all laudable undertakings, I now declare the session of the Senate adjourned *sine die*.

## ERRATA.

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- Page 80—Bill No. 45, S., was not considered.  
80—Res. No. 16, S., was adopted.  
163—M. C. No. 3, S., was ordered engrossed.  
196—Res. No. 11, S., should be Jt. Res. No. 11, S.  
269—The reply of Railroad Commissioners was in answer to Res. No. 21, instead of No. 20.  
306—No. 202, A., should read No. 202, S.  
306—Res. No. 47, S., should read No. 42, S.  
337—Bill No. 102, S., should read No. 202, S.  
363—No. 82, S., should read No. 82, A.  
390—No. 37, A., should read No. 37, S.  
401—Res. No. 19, S., should read Jt. Res. No. 19, S.  
422—No. 266, S., should read No. 226, S.  
448—The bill introduced by Committee on Charitable and Penal Institutions, should read No. 294, S.  
502—For 106, read 109.  
512—For Jt. Res. No. 27, S., read No. 21, S.  
551—Committee on Engrossed Bills reported No. 204, S.  
588—For No. 87, A., read No. 87, S.  
639—Senator Reed should have been recorded as voting in the negative on 298, S.  
647—Senator Farr voted in the negative on No. 115, S.  
667—For 107, S., read 107, A.  
670—For 322, S., read 322, A.

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# INDEX.

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## *Questions Taken.*

The following statement presents the nature of each question on which the ayes and noes were called. The figure at the commencement of each paragraph refers to the number of vote taken, corresponding to the same number at the head of the table. In the table "a" stands for "aye;" "n" for "no;" and "." for "not voting."

1. Bill making insanity additional cause of divorce. Question. Shall the bill be engrossed? Ayes 11, noes 18.
2. Bill to appropriate to State Board of Centennial Managers \$20,000. Question. Shall the bill pass? Ayes 23, noes 2.
3. Bill to appropriate Wm. P. Stowe and Conrad Kres certain amounts. Question. Shall the bills pass? Ayes 28, noes 4.
4. Requesting Congress to investigate Geo. W. Cate's right to a seat in Congress. Question. Shall the memorial pass? Ayes 19, noes 7.
5. Constitutional amendment providing that counties may adopt the supervisor or commissioner system of government as they prefer. Ayes 25, noes 0.
6. A bill fixing the State license of one per cent. for the pontoon-bridge at Prairie du Chien. Question. Shall the bill pass? Ayes 23, noes 4.
7. Bill waiving the statute of limitations in certain cases, relating to the printing claim of S. D. Carpenter. Question. Shall the bill be indefinitely postponed? Ayes 15, noes 15.
8. Bill creating the county of Langlade out of Clark and Marathon. Question. Shall the bill be indefinitely postponed? Ayes 13, noes 13, the President voting aye.
9. Bill appropriating \$10,000 for artificial fish-propagation and erecting a State hatching-house. Question. Shall the bill pass? Ayes 32, noes 1.
10. Bill waiving statute of limitations in claim of S. D. Carpenter. Question. Shall the motion of Senator Hudd to recommit to Committee on Judiciary, with instructions, lie on the table; (carrying the bill on to the table also?) Ayes 19, noes 13.
11. The "Vance Bill." Question. Shall Senator Barden's motion to postpone prevail? Ayes 10, noes 22.
12. Senator Potter's amendment to "Vance Bill," providing that no greater rates for grain and flour than were authorized by chapter 334, laws of 1875, shall be allowed. Question. Shall the amendment be adopted? Ayes 14, noes 19.
13. Senator Potter's amendment to "Vance Bill," limiting passenger rates to 3 cents per mile. Question. Shall the amendment be adopted? Ayes 14, noes 18.
14. Senator Potter's amendment to "Vance Bill" providing that all pending actions shall proceed to trial and final judgment, &c. Question. Shall the amendment be adopted? Ayes 17, noes 15. (Senator Barron changing his vote to aye to move a reconsideration, which motion was made and prevailed.)
15. The "Vance Bill." Question. Shall the bill be ordered to a third reading? Ayes, 23, noes 9.
16. The "Vance Bill." Question. Shall the bill pass? Ayes 20, noes 7.
17. Bill providing for the publication of the geological survey. Question. Shall the bill pass? Ayes 13, noes 8.
18. Bill erecting the county of Langlade (Dixon.) Question. Shall the bill be indefinitely postponed? Ayes 12, noes 15.
19. Bill erecting the county of Dixon. Question. Shall the bill pass? Ayes 13, noes 14.
20. Bill to appropriate a certain sum of money to the Governor for a contingent fund, including \$3,000 for the Fox and Wisconsin River Fund. Question. Shall the bill pass? Ayes 21, noes 3.
21. Bills authorizing the improvement of branches of Eau Claire River, in Clark county. Question. Shall the bills pass? Ayes 21, noes 3.
22. Bill to appropriate a certain sum to the State Historical Society. Question. Shall the bill pass? Ayes 25, noes 8.
23. Bill authorizing the leasing of the labor of the convicts in State Prison. Question. Shall the bill be engrossed? Ayes 20, noes 3.
24. Bill repealing act exempting printer's material from execution. Question. Shall the bill be engrossed? Ayes 7, noes 22.
25. Bill relating to trespassing on State lands. Question. Shall the bill be engrossed? Ayes 14, noes 11.
26. Bill requiring telegraph companies to report and increasing tax. Question. Shall the bill be indefinitely postponed? Ayes 24, noes 2.
27. Bill relating to express companies. Question. Shall the bill be indefinitely postponed? Ayes 23, noes 3.
28. Bill requiring Wisconsin Central to relay a portion of its track between Appleton and Menasha. Question. Shall Senator Schuette's amendment be adopted? Ayes 4, noes 17.

29. Bill repealing the law exempting the lands of the West Wisconsin Railway from taxation. Question. Shall the bill be indefinitely postponed? Ayes 19, noes 10.
30. Bill to legalize the consolidated sinking-fund mortgage executed by the Chicago, Milwaukee and St. Paul Railway to the Farmers' Loan and Trust Company. Question. Shall the bill be concurred in? Ayes 19, noes 5.
31. Bill relating to trespassing on the State lands (the appointing power of timber-agents transferred from School Land Commissioners to the Governor.) Question. Shall the bill pass? Ayes 18, noes 9.
32. Bill making insanity additional cause for divorce. Question. Shall the bill be engrossed? Ayes 20, noes 11.
33. Constitutional amendment to dispense with unanimity of jurors. Question. Shall the resolution be indefinitely postponed? Ayes 16, noes 14.
34. Bill to perfect the organization of the State militia. Question. Shall the bill be indefinitely postponed? Ayes 10, noes 12.
35. Shall the substitute for said bill, organizing the State militia, be adopted? Ayes 11, noes 11.
36. Bill for the protection of fish in the inland waters of the State. Question. Shall the bill be indefinitely postponed? Ayes 16, noes 12.
37. Joint resolution proposing an amendment to the constitution of the State, so as to provide for biennial sessions. Question. Shall the amendment be agreed to? Ayes 20, noes 8.
38. Joint resolution proposing an amendment to the constitution of the State, requiring all claims against the State to be filed within six years after they accrue. Question. Shall the amendment be agreed to? Ayes 17, noes 10.
39. Joint resolution proposing an amendment to the constitution of the State, providing for the enlargement of the Supreme Court to five judges. Question. Shall the amendment be agreed to? Ayes 22, noes 6.
40. Shall the vote indefinitely postponing the joint resolution amending the Constitution so as to dispense with unanimity of juries. Ayes 12, noes 17.
41. Bill authorizing the Governor to appoint commissioners to investigate the claim of Nelson McNeal. Question. Shall the bill be indefinitely postponed? Ayes 10 noes 16.
42. Shall the bill be ordered to a third reading? Ayes 14, noes 15.
43. Motion to take from the table the bill for settlement of McNeal's claim. Ayes 22, noes 7.
44. Shall the bill be ordered to a third reading? Ayes 14, noes 13.
45. Motion to take from the table the bill amending and consolidating the game-laws—ayes 17, noes 14.
46. Bill to punish fraudulent banking. Question. Shall the bill pass? Ayes 25, noes 6.
47. Bill authorizing Eau Claire to construct water-works in the Chippewa River at that place. Question. Shall the bill be ordered to a third reading? Ayes 21, noes 10.
48. Bill authorizing Governor to appoint commissioners to investigate claim of Nelson McNeal. Question. Shall the bill pass? Ayes 17, noes 13.
49. Bill to appropriate to Taylor S. Hayhurst a certain sum of money. Question. Shall the bill pass? Ayes 23, noes 7.
50. Bill to appropriate to P. Griffin a certain sum of money. Question. Shall the bill pass? Ayes 19, noes 10.
51. Bill to appropriate Ansley Gray a sum of money. Question. Shall the bill pass? Ayes 17, noes 11.
52. Bill to appropriate Reuben May a sum of money. Question. Shall the bill be engrossed? Ayes 19, noes 9.
53. Bill to appropriate J. Henry Tate a sum of money. Question. Shall the bill be engrossed? Ayes 22, noes 4.
54. Joint resolution directing an investigation into the accounts of Superintendent of Public Property and Governor. Question. Shall the resolution be referred to the Committee on Federal Relations? Ayes 14, noes 15.
55. Bill authorizing Eau Claire to construct water-works (the Dells Bill.) Question. Shall the bill pass? Ayes 19, noes 9.
56. Resolution tendering thanks to President Grant for vigorous prosecutions of violations of revenue frauds. Question. Shall the resolutions and pending amendments be laid on the table? Ayes 12, noes 21.
57. Bill providing for rebuilding Institute for the Education of the Blind at Janesville. Question. Shall the bill pass? Ayes 26, noes 5.
58. Bill relating to the publication of local laws. Question. Shall the bill pass? Ayes 17, noes 11.
59. Bill relating to hawkers and peddlers. Question. Shall the bill be laid on the table? Ayes 13, noes 15. (The bill was afterwards taken from the table and passed.)
60. Bill establishing salaries of State officers. Question. Shall the bill be engrossed? Ayes 22, noes 10.
61. Bills making appropriations to Milwaukee and other charitable institutions. Question. Shall the bills be indefinitely postponed? Ayes 7, noes 22.
62. Bill re-apportioning the State into Senate and Assembly districts. Question. Shall the bill pass? Ayes 20, noes 11.
63. Bill authorizing Governor to purchase I. A. Lapham's cabinet. Question. Shall the bill pass? Ayes 17, noes 10.
64. Bill to establish the salaries of State officers. Question. Shall the bill pass? Ayes 21, noes 8.
65. Bill to provide for the safe keeping of the public moneys. Question. Shall the bill pass? Ayes 20, noes 11.
66. Bill to establish a State board of health. Question. Shall the bill pass? Ayes 16, noes 12.
67. Bill to provide for an increase of State school money and to raise an annual tax for that purpose. Question. Shall the bill pass? Ayes 17, noes 9.
68. Bill to provide for levying a State tax for 1876. Question. Shall the bill pass? Ayes 30, noes 0.
69. Bill providing for payment of claim of D. K. Tenney (No. 297.) Question. Shall the bill be ordered to a third reading? Ayes 13, noes 13.
70. Bill to repeal the "Dog-Law." Question. Shall be bill be concurred in? Ayes 8, noes 18.
71. Memorial to Congress for an investigation into alleged frauds upon the revenue. Question. Shall the memorial lie on the table? Ayes 16, noes 7.



*SUMMARY of the Important Votes taken during the Session of the Senate for 1876.*

[The following recapitulation of votes taken during the session of the Senate for 1876 does not include all the votes taken by ayes and noes, but it is believed that all of importance are presented in the table.—THE CHIEF CLERK.]

| SENATORS.        | 1  | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 |  |
|------------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--|
| Baker.....       |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Barden.....      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Barney.....      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Baron.....       |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Blair.....       |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Bryant.....      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Campbell.....    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Cavanagh.....    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Davis, H. N..... |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Davis, R. E..... |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Douglas.....     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Downs.....       |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Eastman.....     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Farr.....        |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Flint.....       |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Hathaway.....    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Hiner.....       |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Hudd.....        |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Jacobs.....      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| McFarland.....   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Mitchell.....    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Nevin.....       |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Potter.....      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Reed.....        |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Rounds.....      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Ryan.....        |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Schuetz.....     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Scott.....       |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Silverthorn..... |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Tate.....        |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Treat.....       |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Welch.....       |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| Wilmot.....      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |  |
| AYES.....        | 11 | 23 | 26 | 19 | 25 | 23 | 15 | 13 | 13 | 19 | 10 | 14 | 14 | 17 | 9  | 20 | 13 | 12 | 13 | 21 | 21 | 25 | 20 | 7  | 14 | 24 | 2  | 4  | 19 | 19 | 18 | 20 | 16 | 10 | 11 | 16 |  |
| NOES.....        | 18 | 2  | 4  | 7  | 4  | 4  | 15 | 13 | 1  | 32 | 19 | 22 | 18 | 15 | 23 | 7  | 8  | 15 | 14 | 3  | 3  | 8  | 22 | 11 | 2  | 3  | 17 | 4  | 19 | 19 | 9  | 11 | 14 | 12 | 12 | 12 |  |

## GENERAL INDEX TO

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| SENATORS.        | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 |
|------------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| Baker.....       | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Barden.....      | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Barney.....      | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Barron.....      | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Blair.....       | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Bryant.....      | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Campbell.....    | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Cavanagh.....    | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Davis, H. N..... | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Davis, R. E..... | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Douglas.....     | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Dowds.....       | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Eastman.....     | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Farr.....        | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Flint.....       | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Hathaway.....    | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Hiner.....       | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Hudd.....        | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Jacobs.....      | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| McFarland.....   | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Mitchell.....    | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Neivins.....     | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Potter.....      | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Reed.....        | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Rounds.....      | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Ryan.....        | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Schutte.....     | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Scott.....       | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Silverthorn..... | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Tate.....        | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Trotter.....     | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Wach.....        | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| Wilmut.....      | a  | a  | a  | n  | n  | n  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  | a  |
| AYES.....        | 20 | 17 | 22 | 12 | 10 | 14 | 22 | 14 | 17 | 25 | 21 | 17 | 23 | 19 | 17 | 19 | 22 | 14 | 19 | 26 | 17 | 18 | 22 | 7  | 20 | 17 | 21 | 21 | 20 | 16 | 17 | 30 | 13 | 8  | 16 |
| NOES.....        | 8  | 10 | 6  | 17 | 16 | 15 | 7  | 13 | 14 | 6  | 10 | 13 | 7  | 10 | 11 | 9  | 4  | 15 | 9  | 21 | 6  | 11 | 10 | 22 | 11 | 8  | 11 | 8  | 11 | 12 | 9  | 13 | 13 | 18 | 7  |

# HISTORY

## OF

### Bills, Memorials, and Joint Resolutions.

#### BILLS.

No. 1, S.—A bill to provide for the appointment of phonographic reporters for the second county court for Brown county. Senator Hudd. Passed, 11; Assembly concurs, 18; enrolled, 33; signed by Speaker, signed by President, 22; presented to Governor, 51; approved, 303; published as chapter 1, of the laws.

No. 2, S.—A bill to change and prescribe the times for holding the terms of the circuit court for the county of Wood, in the 7th judicial circuit. Senator Scott. Passed, 15; Assembly concurs, 52; enrolled, 68; signed by Speaker, signed by President, 79; presented to Governor, 361; approved, 303; published as chapter 4.

No. 3, S.—A bill to amend an act, entitled, "An act to incorporate the Mineral Point and Portage City Railroad Company," approved October 13, 1856. Senator McFarland. To Committee on Railroads, 15; reported with amendment, 170; amended, ordered engrossed, 175; engrossed, 193; passed, 199; Assembly concurs, 376; enrolled, 405; signed by Speaker, signed by President, 419; presented to Governor, 430; approved, 475; published as chapter 80.

No. 4, S.—A bill supplemental to an act, entitled, "An act to encourage the building of narrow-gauge railroads, and to secure cheap transportation to the people." Senator Barney. To Committee on Railroads, 15; reported with amendments, 51; considered, 80; amended, ordered engrossed, 81; engrossed, 95; passed, 98; Assembly concurs, 302; enrolled, 314; signed by Speaker, signed by President, 314; presented to Governor, 321; approved, 473; published as chapter 29.

No. 5, S.—A bill to authorize and empower Leonard Guenther to erect and maintain a system of piers and booms on the Wisconsin River, in the town of Knowlton, Marathon county. Senator Silverthorn. To Committee on Internal Improvement, 15; reported favorably, 111; ordered engrossed, 115; correctly engrossed, 135; passed, 143; enrolled, 373; Assembly amended and concurred, 609; Assembly corrected and concurred without amendment, 612; enrolled, 627; approved; published as chapter 306.

No. 6, S.—A bill to authorize town insurance companies to insure real and personal property in any town and adjoining towns in the same county where such insurance companies may be located, and to legalize such insurance heretofore made. Senator Barney. To Committee on Banks and Insurance, 17; reported with amendments, 86; ordered engrossed, 97; engrossed, 109; passed, 114; Assembly concurs, 247; enrolled, 263; signed by Speaker, signed by President, 274; presented to Governor, 276; approved, 304; published as chapter 27.

No. 7, S.—A bill to amend section 25, of chapter 119, of the revised statutes, entitled, "General provisions concerning courts of record, of the powers and duties of judges, and of attorneys and officers of court." Senator Silverthorn. To Committee on Judiciary, 17; reported favorably, 71; considered, 80; ordered engrossed, 81; engrossed, 95; passed, 98; Assembly concurs, 214; enrolled, 262; signed by Speaker, signed by President, 274; presented to Governor, 275; approved, 304; published as chapter 20.

No. 8, S.—A bill relating to the assessment of property for taxation, to repeal chapter 120, of the general laws of 1871, and to revive, restate, and re-enact section 4, of chapter 27, of the general laws of 1871. Senator Potter. To Committee on Judiciary, 17; reported favorably, 94; ordered engrossed, 115; engrossed, 119; passed, 137; Assembly indefinitely postponed, 445.

No. 9, S.—A bill relating to the preservation of game and amendatory of section 1, of chapter 139, of the game laws of 1875, entitled "An act to amend section 3, of chapter 78, of the general laws of 1867, entitled, 'an act for the preservation of game.'" Senator Potter. To Committee on Judiciary, 17; reported favorably, 94; recommitted to Committee on State Affairs, 115; reported adversely, 597; indefinitely postponed, 657.

No. 10, S.—A bill relating to highways and amendatory to section 1, of chapter 130, general laws of 1867. Senator Welch. To Committee on Roads, Bridges and Ferries, 17; reported favorably, 78; considered, 10; ordered engrossed, 81; engrossed, 109; passed, 114; Assembly concurs, 208; enrolled, 263; signed by Speaker, signed by President, 274; presented to Governor, 276; approved, 304; published as chapter 26.

No. 11, S.—A bill to appropriate to the Wisconsin State Agricultural Society a sum of money therein named. Senator Bryant. To Committee on Agriculture, 20; reported favorably; recommitted to Committee on Claims, 79; reported unfavorably, 159; amended and ordered engrossed, 176; engrossed, 206; passed, 208; Assembly concurs, 444; enrolled, 468; approved 602; published as chapter 86.

No. 12, S.—A bill to facilitate the artificial propagation and preservation of fish, and appropriating a certain sum of money therein named, for that purpose, and to purchase a site for a State hatching-house and the erection thereof. Senator Mitchell. To Committee on State Affairs, 21; reported favorably; to Committee on Claims, 87; reported unfavorably, 315; amended, ordered engrossed, 320; engrossed, 344; passed, 349; Assembly amended and concurred, 609; Assembly amendments concurred in, 610; enrolled, 628; approved, 664; published as chapter 307.

No. 13, S.—A bill to lay out and establish a State road from Wausau to Shawano. Senator Silverthorn. To Committee on Roads, Bridges, and Ferries, 21; reported favorably, 78; considered, 80; ordered engrossed, 109; amended and passed, 114; Assembly concurs, 208; enrolled, 223; presented to Governor, 245; signed by Speaker, signed by President, 248; presented to Governor, 302; approved, 304; published as chapter 9.

No. 14, S.—A bill to amend section 1, of chapter 306, of the general laws of 1875, entitled, "An act to transfer the Soldiers' Orphans' Home to the custody of the regents of the State University." Senator Barron. To Committee on Education, 34; reported favorably, 78; considered, 80; ordered engrossed, 81; engrossed, 94; considered, 98; considered, 114; passed, 137; Assembly concurs, 214; enrolled, 262; signed by Speaker, signed by President, 274; presented to Governor, 275; approved, 304; published as chapter 21.

No. 15, S.—A bill making an appropriation to the Northwestern Wisconsin Agricultural and Mechanical Association. Senator Rounds. To Committee on Agriculture, 34; recommitted to committee, 194; reported adversely, 386; recommitted to select committee, 395; reported with amendments; amended; passed; title amended: "A bill to provide for the publication of the transactions of the Northern Wisconsin Agricultural and Mechanical Association," 434; Assembly concurs, 565; enrolled, 587; approved 642; published as chapter 226.

No. 16, S.—A bill to appropriate a sum of money therein named for the use of the Institute for Education of the Blind, for the payment of current expenses. Senator Reed. To Committee on Charitable and Penal Institutions, 34; reported favorably; recommitted to Committee on Claims, 87; reported favorably, 111; amended and ordered engrossed, 115; engrossed, 119; passed, 138; Assembly concurs, 334; enrolled, 360; presented to Governor, 385; signed by Speaker, signed by President, 389; approved, 474; published as chapter 63.

No. 17, S.—A bill to appropriate a sum of money therein named, for the use of the Institute for the Education of the Deaf and Dumb, for the payment of current expenses for the year ending March 1, 1877, and for permanent improvements. Senator Reed. To Committee on Charitable and Penal Institutions, 34; reported

favorably; recommitted to Committee on Claims, 87; reported favorably, 111; amended and ordered engrossed, 116; engrossed, 119; passed, 138; Assembly concurs, 334; enrolled, 360; presented to Governor, 385; signed by Speaker, signed by President, 389; approved, 474; published as chapter 62.

No. 18, S.—A bill to appropriate a sum of money therein named for the use of the Wisconsin Hospital for the Insane, for the payment of current expenses, for repairs, and improvements, and deficiencies. Senator Reed. To Committee on Charitable and Penal Institutions, 34; reported favorably; recommitted to Committee on Claims, 95; reported favorably, 121; amended and ordered engrossed, 139; engrossed, 160; passed, 164; Assembly amended and concurred, 609; Assembly amendments concurred in, 610; enrolled, 626; approved, 662; published as chapter 279.

No. 19, S.—A bill to appropriate a sum of money therein named for the use of the Industrial School for Boys, for the payment of current expenses, to pay indebtedness, and to complete barn. Senator Reed. To Committee on Charitable and Penal Institutions, 34; reported favorably; recommitted to Committee on Claims, 88; reported favorably, 111; amended and ordered engrossed, 116; engrossed, 135; passed, 138; Assembly concurs, 334; presented to Governor, 385; signed by Speaker, signed by President, 389; approved, 474; published as chapter 64.

No. 20, S.—A bill to appropriate a sum of money therein named for the use of the Northern Hospital for the Insane, for the payment of current expenses and for improvements. Senator Reed. To Committee on Charitable and Penal Institutions, 34; reported favorably; recommitted to Committee on Claims, 95; reported favorably, 122; amended and ordered engrossed, 139; engrossed, 160; passed, 175; Assembly amended and concurred, 609; Assembly amendments concurred in, 610; enrolled, 627; approved, 661; published as chapter 280.

No. 21, S.—A bill authorizing the circuit court of the 6th judicial circuit to admit Archie M. Stevenson to act as an attorney in the circuit courts of this State. Senator Tate. To Committee on Judiciary, 35; reported unfavorably, 120; indefinitely postponed, 139.

No. 22, S.—A bill to repeal chapter 43, general laws 1875, entitled, "An act to amend section 65, of chapter 18, of the revised statutes, entitled, 'of the assessment and collection of taxes.'" Senator Scott. To Committee on Judiciary, 35; reported unfavorably, 120; amended and refused engrossment, 140.

No. 23, S.—A bill to amend chapter 289, of the general laws of 1873, entitled, "An act to authorize municipal corporations to aid in the construction of railroads." Senator Scott. To Committee on Railroads, 35; reported with substitute and recommended, 224; recommitted, 268; reported with amendment, 313; ordered engrossed, 319; engrossed, 343; passed, 348; Assembly concurs, 463; enrolled, 513; approved, 603; published as chapter 128.

No. 24, S.—A bill to repeal section 8, of chapter 341, of the laws of 1874, entitled, "An act in relation to railroads." Senator Farr. To Committee on Railroads, 35; reported adversely, 404; indefinitely postponed, 411.

No. 25, S.—A bill constituting the clerk of the circuit court of the county of Waukesha ex-officio clerk of the county court. Senator Blair. To Committee on Judiciary, 35; reported unfavorably, 120; indefinitely postponed, 139.

No. 26, S.—A bill to amend chapter 111, of the revised statutes, entitled, "Of divorce." Senator Reed. To Committee on Judiciary, 35; reported favorably, 71; considered, 80; postponed, 81; amended and adopted, refused engrossment, 88; reconsidered, 104; referred to select committee, 144; reported with amendment, 388; considered, 423; amended, ordered engrossed, 490; engrossed, 483; passed, 504; Assembly refused to concur, 645.

No. 27, S.—A bill to appropriate to Wm. P. Stowe \$527 and interest. Senator Baker. To Committee on Claims, 49; reported favorably, 159; ordered engrossed, 165; engrossed, 181; passed, 184; Assembly concurs, 347; enrolled, 373; signed by Speaker, signed by President, 407; presented to Governor, 429; approved, 475; published as chapter 69.

No. 28, S.—A bill to amend chapter 22, of the laws of 1875, entitled, "An act to amend chapter 186, laws of 1874, entitled, 'an act for the preservation of fish in Dell Creek.'" Senator Welch. To Committee on Agriculture, 49; reported and re-

committed to Committee on Judiciary, 86; reported favorably, 94; referred to Committee on State Affairs, 115; reported favorably, 135; ordered engrossed, 139; engrossed, 161; passed, 164; Assembly concurs, 347; enrolled, 373; signed by Speaker, signed by President, 467; presented to Governor, 429; approved, 475; published as chapter 65.

No. 29, S.—A bill to repeal chapter 370, of the general laws of 1869, entitled, "An act requiring publication of notice of proposed special or local legislation." Senator Barron. To Committee on Judiciary, 49; reported recommending indefinite postponement, indefinitely postponed, 71.

No. 30, S.—A bill to amend chapter 152, of general laws of 1869, entitled, "An act to codify the laws of this State relating to highways and bridges." Senator Treat. To Committee on Roads, Bridges, and Ferries, 49; reported favorably, 159; ordered engrossed, 164; engrossed, 181; passed, 184; Assembly concurs, 644; enrolled, 677; approved, 689; published as chapter 334.

No. 31, S.—A bill relating to wills proved and allowed in any other of the United States. Senator Nevins. To Committee on Judiciary, 50; reported with amendments, 73; considered, 31; amended, ordered engrossed, 81; engrossed, 95; passed 98; Assembly concurs, 214; returned to Assembly, 227; Assembly amends and concurs, 335; adopt Assembly amendment, 336; enrolled, 360; presented to Governor, 385; signed by Speaker, signed by President, 389; approved 474; published as chapter 58.

No. 32, S.—A bill to appropriate a sum of money to the Southwestern Wisconsin Agricultural and Industrial Association. Senator Campbell. To Committee on Agriculture, 50; recommitted to Committee on Claims, 194.

No. 33, S.—A bill to appropriate a sum of money therein named for the payment of pensions to soldiers' orphans, as provided in chapter 72, laws of 1874, for the year 1876. Senator Reed. To Committee on Charitable and Penal Institutions, 50; reported favorably; recommitted to Committee on Claims, 88; reported favorably, 111; ordered engrossed, 115; engrossed, 119; passed, 138; Assembly concurs, 335; enrolled, 360; presented to Governor, 385; signed by Speaker, signed by President, 389; approved, 474; published as chapter 61.

No. 34, S.—A bill to appropriate a sum of money therein named for the payment of current expenses at the State Prison for the year ending March 1, 1877. Senator Reed. To Committee on Charitable and Penal Institutions, 50; reported favorably; recommitted to Committee on Claims, 88; reported favorably, 122; amended and ordered engrossed, 139; engrossed, 160; passed, 164; Assembly concurs, 335; enrolled, 361; presented to Governor, 385; signed by Speaker, signed by President, 389; approved, 474; published as chapter 59.

No. 35, S.—A bill to amend chapter 247, of the private and local laws of 1869, entitled, "An act to incorporate the city of Grand Rapids." Senator Scott. To Committee on Judiciary, 50; reported favorably, 71; recommitted to select committee, 81; reported with amendments, 161; amended and ordered engrossed, 165; engrossed, 181; passed, 184; Assembly concurs, 490; enrolled, 500; approved, 603; published as chapter 111.

No. 36, S.—A bill to repeal chapter 77, of the laws of 1875, relating to an act, entitled, "An act to amend chapter 96, of the revised statutes, entitled, 'of the powers of the circuit court over the estate of infants, insane persons, and habitual drunkards.'" Senator Eastman. To Committee on Judiciary, 50; reported with amendments, 78; considered, 80; amended, ordered engrossed, 81; engrossed, 95; passed, 98; Assembly concurs, 301; enrolled, 333; presented to Governor, 346; signed by Speaker, signed by President, 358; approved, 474; published as chapter 46.

No. 37, S.—A bill to appropriate to the State Board of Centennial Managers a sum of money therein named. Senator Bryant. To Committee on Federal Relations, 50; reported with substitute, 87; adopted and ordered engrossed, 98; engrossed, recommitted to Committee on Claims, 109; reported with amendments, 133; amended and passed, 134; Assembly amends and concurs, 380; Senate refuses concurrence, conference, 381; Assembly agrees to conference, 390; report with amendment, adopted, 471; Assembly agrees to report and amendments, 477; enrolled, 483; approved, 601; published as chapter 83.

No. 38, S.—A bill relating to Racine College, and amendatory of section 4, of chapter 65, of the private and local laws of 1852, as amended by chapter 28, of the private and local laws of 1861. Senator Baker. Passed, 67; Assembly concurs, 97; enrolled, 111; signed by Speaker, signed by President, 113; presented to Governor, 159; approved, 303; published as chapter 5.

No. 39, S.—A bill to appropriate to Conrad Krez a sum of money therein named. Senator Eastman. To Committee on Claims, 67; reported favorably, 129; ordered engrossed, 164; engrossed, 181; passed, 184; Assembly concurs, 358; enrolled, 406; signed by Speaker, signed by President, 419; presented to Governor, 430; approved, 475; published as chapter 70.

No. 40, S.—A bill to authorize and require the county clerk of the county of Burnett to make and keep up an abstract of tax-sales. Senator Barron. To Committee on Judiciary, 67; reported with amendments, 109; amended and ordered engrossed, 116; engrossed, 135; passed, 137; Assembly concurs, 445; enrolled, 483; approved, 602; published as chapter 106.

No. 41, S.—A bill to amend chapter 273, laws of 1874, entitled, "An act relating to railroads, express and telegraph companies in the State of Wisconsin." Senator Bryant. To Committee on Railroads, 72; reported adversely, 404; recommitted to select committee, 405; reported with amendment; recommitted to Committee on Internal Improvements, 489; reported with amendment, 562; amended; ordered engrossed, 584; engrossed, 596; passed; title amended: "A bill to authorize the improvement of the Catfish River, for the purpose of navigation," 619; Assembly refused to concur, 653.

No. 42, S.—A bill to repeal chapter 290, laws of 1874, entitled, "An act to authorize the board of Railroad Commissioners to employ a clerk." Senator Bryant. To Committee on Railroads, 72; reported adversely, 404; recommitted to select committee, 405; reported with amendment; recommitted to Committee on Railroads, 489; reported favorably, 537; amended and passed, 538; title amended: "An act to incorporate the Milwaukee and Beloit Railroad Company, approved March 29, 1855, as amended by chapter 364, of the private and local laws of 1864; and again amended by chapter 294, of private and local laws of 1870, approved March 4, 1870," and concurred, 645; Assembly amendments concurred in, 646; enrolled, 677; approved, 689; published as chapter 333.

No. 43, S.—A bill to repeal chapter 39, laws of 1875, entitled, "An act to amend chapter 273, laws of 1874, entitled, 'an act relating to railroads, express and telegraph companies in the State of Wisconsin.'" Senator Bryant. To Committee on Railroads, 73; reported adversely, 404; recommitted to select committee, 405; reported with amendment; recommitted to Committee on Incorporations, 489; reported with amendment; adopted; passed; title amended: "A bill relating to the equalization and assessment of taxes in the city of Grand Rapids," 499; Assembly concurs, 607; enrolled, 615; approved, 643; published as chapter 243.

No. 44, S.—A bill to repeal chapter 58, of the general laws of 1870, entitled, "An act to provide stationery and postage stamps for officers and employees of the Senate and Assembly." Senator Bryant. To Committee on State Affairs, 73; reported and referred to Committee on Legislative Expenditures, 86; reported with amendment, 417; amended; passed; title amended: "A bill to authorize the board of trustees of the village of Viroqua, to remove and re-inter the remains of persons buried in the old burying-ground," 423; Assembly concurs, 608; enrolled, 628; approved, 663; published as chapter 305.

No. 45, S.—A bill to repeal chapter 8, of the general laws of 1867, entitled, "An act relating to reporters of daily newspapers." Senator Bryant. To Committee on Legislative Expenditures, 73; considered, [error,] 80; reported with amendment, 432; amended; passed; title amended: A bill repealing chapter 159, of the laws of 1874, and chapter 268, of the laws of 1873, relating to taxes for special road-purposes in Vernon county, 462; Assembly concurs, 644; enrolled, 677; approved, 689; published as chapter 332.

No. 46, S.—A bill to provide for the payment of the stationery of the legislative reporters. Senator Bryant. To Committee on Legislative Expenditures, 73.

No. 47, S.—A bill to provide for the hearing and decision of motions and making of orders in certain cases in civil actions. Senator Silverthorn. To Committee on

Judiciary, 73; reported favorably, 94; ordered engrossed, 115; engrossed, 119; passed, 137; Assembly concurs, 301; enrolled, 333; presented to Governor, 346; signed by Speaker, signed by President, 358; approved, 473; published as chapter 44.

No. 48, S.—A bill to provide for the appointment of phonographic reporters for the circuit court of Oconto county. Senator Silverthorn. To Committee on Judiciary, 73; reported with amendments, 109; amended and ordered engrossed, 116; engrossed, 135; passed, 137; Assembly concurs, 301; enrolled, 333; presented to Governor, 346; signed by Speaker, signed by President, 358; approved, 473; published as chapter 43.

No. 49, S.—A bill relating to registration of electors, and amendatory of section 1, of chapter 232, of the general laws of 1875. Senator Welch. To Committee on Judiciary, 73; reported with amendments, 109; amended and ordered engrossed, 116; engrossed, 135; passed, 139; Assembly concurs, 358; enrolled, 406; signed by Speaker, signed by President, 419; presented to Governor, 430; Governor requested to return, 449; returned and recommitted to select committee, 473; reported with amendment; amended; passed, 515; Assembly concurs, 607; enrolled, 627; approved 663; published as chapter 302.

No. 50, S.—A bill to amend chapter 208, of the laws of 1875, entitled, "An act in relation to the Wisconsin Railroad Farm-Mortgage Land Company." Senator Welch. To Committee on Railroads, 73; reported favorably, 109; ordered engrossed, 115; engrossed, 119; passed, 137; Assembly concurs, 464; enrolled, 513; approved, 604; published as chapter 129.

No. 51, S.—A bill to repeal chapter 104, general laws of 1870, entitled, "An act to aid the West Wisconsin Railway Company." Senator Douglas. To Committee on Railroads, 77; reported adversely, 405; considered, 411, 447; indefinitely postponed, 458; Senator Flint records his vote, 481.

No. 52, S.—A bill to amend section 4, of chapter 430, of the private and local laws of 1868, entitled, "An act to incorporate the Apple River Log-Driving Company." Senator Barron. To Committee on Judiciary, 77; reported favorably, 94; ordered engrossed, 115; engrossed, 119; passed, 138; Assembly concurs, 335; enrolled, 345; signed by Speaker, signed by President, 358; presented to Governor, 361; approved, 473; published as chapter 45.

No. 53, S.—A bill to appropriate to Fred. A. Dennett and R. M. Strong, the sum of fifty dollars each. Senator H. N. Davis. To Committee on Claims, 77; reported favorably, 108; ordered engrossed, 115; engrossed, 119; passed, 138; Assembly concurs, 135; enrolled, 360; presented to Governor, 385; signed by Speaker, signed by President, 389; approved, 474; published as chapter 60.

No. 54, S.—A bill to codify and consolidate the laws relating to pay and mileage of members, pay of employees, and providing for newspapers, postage-stamps, stationery, and opening of legislature. Senator Flint. To Committee on Legislative Expenditures, 77; reported with amendments, 263; amended and ordered engrossed, 269; engrossed, 289; to Committee on Claims, 290; reported favorably, 403; amended and passed, 409; Assembly amended and concurred, 646; Assembly amendments concurred in, 656; enrolled, 680; approved, 690; published as chapter 345.

No. 55, S.—A bill to amend section 52, of chapter 188, of the general laws of 1872, entitled, "An act for the incorporation of villages." Senator Tate. To Committee on Militia, 77; reported adversely, 485; indefinitely postponed, 505.

No. 56, S.—A bill authorizing counties, cities, villages, and towns to make appropriations for celebrating the Centennial year of the nation's existence. Senator Flint. To Committee on Federal Relations, 78; reported favorably, 259; ordered engrossed, 267; engrossed, 275; passed, 280; Assembly amended and concurred, 518; Senate refuses concurrence, conference, 519; committee recommend Assembly to recede from its amendment, 589.

No. 57, S.—A bill relating to verdicts of juries. Senator Flint. To Committee on Judiciary, 78; reported adversely, 399; recommitted to select committee, 400; reported without recommendation, 435; considered, 481; considered in Committee of the Whole; reported without amendment, 492; indefinitely postponed, 493.



No. 58, S.—A bill to amend section 1, of chapter 46, of the general laws of 1869, entitled, "An act to protect the lands and timber thereon granted to the St. Croix & Lake Superior Railroad Company." Senator Burron. To Committee on Judiciary, 85; reported favorably, 120; ordered engrossed, 139; engrossed, 160; passed, 164; Assembly concurs, 376; enrolled, 405; signed by Speaker, signed by President, 419; presented to Governor, 430; approved, 476; published as chapter 79.

No. 59, S.—A bill to amend an act, entitled, "An act to incorporate the Milwaukee Musical Society." Senator Mitchell. To select committee of one consisting of Senator Mitchell, 85; reported favorably, 95; passed, 98; Assembly concurs, 365; correctly enrolled, 373; signed by Speaker, signed by President, 407; presented to Governor, 429; approved, 475; published as chapter —.

No. 60, S.—To authorize the Secretary of State to order the binding of report of the State Superintendent of Public Instruction. Senator Barney. To Committee on Claims, 85; reported favorably, 122; ordered engrossed, 139; engrossed, 160; Assembly concurs, 358; enrolled, 406; signed by Speaker, signed by President, 419; presented to Governor, 430; approved, 475; published as chapter 71.

No. 61, S.—A bill to provide for the purchase of 300 copies of Webster's Unabridged Dictionary. Senator Barney. To Committee on Education, 85; reported favorably, 194; To Committee on Claims, 195; 200; reported favorably, 245; amended and ordered engrossed, 251; engrossed, 261; passed, 266; Assembly concurs, 490; enrolled, 514; approved 603; published as chapter 114.

No. 62, S.—A bill relating to the preservation of fish in Silver Lake and Fish Lake, and the waters connecting them, in the county of Waushara. Senator Potter. To Committee on Agriculture, 85; reported favorably, 110; referred to Committee on State Affairs, 115; reported favorably, 134; rules suspended and passed, 137; Assembly concurs, 335; enrolled, 361; signed by Speaker, signed by President, 389; presented to Governor, 430; approved, 474; published as chapter 76.

No. 63, S.—A bill to provide for the corporation of fire departments in incorporated villages. Senator Douglas. To Committee on Incorporations, 85; reported with amendment, 159; amended and ordered engrossed, 165; engrossed, 181; passed, 184; Assembly concurs, 464; enrolled 500; approved 603; published as chapter 153.

No. 64, S.—A bill to appropriate a sum of money therein named to the Institution for the Education of the Blind, for the purpose of paying indebtedness incurred in furnishing the wing of said building with furniture and fixtures. Senator H. N. Davis. To Committee on Charitable and Penal Institutions, 85; reported with amendment, 160; amended and ordered engrossed, 165; engrossed, 181; to Committee on Claims, 184; reported favorably, 245; passed, 249; Assembly concurs, 464; enrolled, 500; approved, 602; published as chapter 123.

No. 65, S.—A bill to perfect and encourage the organization of State militia, and appropriating money therefor. Senator Welch. To Committee on Military Affairs, 86; reported with amendment, 435; refused engrossment, 523.

No. 66, S.—A bill to authorize N. O. Murray and L. S. Lenhart to keep and maintain a ferry across Lake Pepin, from the village of Stockholm, Wisconsin, to Lake City, Minnesota. Senator Flint. To Committee on Roads, Bridges, and Ferries, 86; reported and referred to Committee on Judiciary, 212; reported with amendment, 244; amended and ordered engrossed, 251; engrossed, 261; passed, 280.

No. 67, S.—A bill for the relief of the estate of John Reynolds, deceased. Senator Bryant. To Committee on Judiciary, 93; reported favorably, 173; ordered engrossed, 175; engrossed, 193; passed, 199; Assembly concurs, 445; enrolled, 468; approved, 602; published as chapter 101.

No. 68, S.—A bill to amend section 1, of chapter 323, laws of 1875, relating to free high schools. Senator Downs. To Committee on Education, 93; reported favorably, 212; passed, 215; Assembly concurs, 490; enrolled, 513; approved, 604; published as chapter 132.

No. 69, S.—A bill in relation to the pontoon-bridge across the Mississippi River at Prairie du Chien. Senator Downs. To Committee on Railroads, 94; reported recommending reference to Committee on Judiciary, 223; reported with amendment, 244; amended and ordered engrossed, 251; engrossed, 275; considered, 280; passed, 307; Assembly amended and concurred, 518; Assembly amendment concurred in, 519; enrolled, 540; approved, 604; published as chapter 113.

No. 70, S.—A bill to fix the time for holding the terms of the several circuit courts in the seventh judicial circuit. Senator Scott. To Committee on Judiciary, 70; reported recommending reference to select committee—so ordered—select committee, Senators Scott, Silverthorn, and Potter, 243; reported with amendment, 374; amendment adopted; rules suspended, passed, 380; Assembly concurs, 390; enrolled, 405; signed by Speaker, signed by President, 419; presented to Governor, 430; approved, 476; published as chapter 74.

No. 71, S.—A bill to provide for the enlargement of the Wisconsin State Hospital for the Insane. Senator Bryant. To Committee on Charitable and Penal Institutions, 106; reported adversely, 485; indefinitely postponed, 505.

No. 72, S.—A bill to amend chapter 152, of the general laws of 1872, entitled, "An act to authorize the county board of supervisors in the several counties of this State to levy a special tax for county-road purposes." Senator Ryan. To Committee on Judiciary, 106; reported favorably, 173; ordered engrossed, 175; engrossed, 193; passed, 199; Assembly concurs, 517; enrolled, 521; approved, 604; published as chapter 139.

No. 73, S.—A bill to authorize John A. Jacobs to erect and maintain a dam in Burnett county. Senator Barron. To Committee on Judiciary, 106; reported with amendment, 173; amended and ordered engrossed, 175; correctly engrossed, 193; considered, 200, 280; amended, passed, title amended: A bill to authorize John P. Jacobson to erect and maintain a dam in Burnett county. Assembly amended and concurred, 609; Assembly corrected and concurred without amendment, 612; enrolled, 628; approved, 662; published as chapter 287.

No. 74, S.—A bill to prevent the hunting of deer with dogs in the county of Burnett. Senator Barron. To Committee on State Affairs, 103; reported adversely, 597; indefinitely postponed, 657.

No. 75, S.—A bill in relation to attorneys' fees in justice court. Senator Barron. To Committee on Judiciary, 106; reported favorably, 173; ordered engrossed, 175; engrossed, 193; amended and passed, 209; Assembly concurs, 445; enrolled, 468; approved, 602; published as chapter 96.

No. 76, S.—A bill to authorize the construction of a pontoon-bridge or railway-ferry, from some feasible point in Buffalo county, State of Wisconsin, to some feasible point in the State of Minnesota. Senator Hudd. To Committee on Railroads, 106; reported favorably, 182; ordered engrossed, 184; engrossed, 206; passed, 208; Assembly concurs, 376; enrolled, 405; signed by Speaker, signed by President, 419; presented to Governor, 430; approved, 475; published as chapter 72.

No. 77, S.—A bill to appropriate to the Wisconsin Seaman's Friend Society, of Milwaukee, a sum of money therein named. Senator Mitchell. To Committee on Charitable and Penal Institutions, 107; reported unfavorably, recommitted to select committee, Senator Mitchell, 362; reported, 631.

No. 78, S.—A bill to appropriate to the St. Mary's Hospital, of Milwaukee, a sum of money therein named. Senator Mitchell. To Committee on Charitable and Penal Institutions, 107; reported unfavorably, recommitted to select committee, Senator Mitchell, 362; reported, 631.

No. 79, S.—A bill to appropriate to the Passavant Hospital, of Milwaukee, a sum of money therein named. Senator Mitchell. To Committee on Charitable and Penal Institutions, 107; reported unfavorably, recommitted to select committee, Senator Mitchell, 362; reported, 631.

No. 80, S.—A bill to appropriate to the St. Joseph's Orphan Asylum, of Milwaukee, a sum of money therein named. Senator Mitchell. To Committee on Charitable and Penal Institutions, 107; reported with amendment, recommitted to Committee on Claims, 332; reported without recommendation, 588; considered, 621; amended, ordered engrossed, passed, 622; Assembly concurs, 653; enrolled, 678; approved, —; published as chapter 326.

No. 81, S.—A bill to appropriate to the St. Emilianus Orphans' Asylum, of Milwaukee, a sum of money therein named. Senator Mitchell. To Committee on Charitable and Penal Institutions, 107; reported favorably; Committee on Claims, 331; reported without recommendation, 588; considered, 621; amended; passed, 622; Assembly concurs, 653; enrolled, 678; approved, 688; published as chapter 327.

No. 82, S.—A bill to appropriate to the Home of the Friendless, of Milwaukee, a sum of money therein named. Senator Mitchell. To Committee on Charitable and Penal Institutions, 107; reported favorably; Committee on Claims, 332; reported without recommendation, 588; considered, 621; amended, 622; passed, 622; Assembly concurs, 653; enrolled, 678; approved, 688; published as chapter 321.

No. 83, S.—A bill to appropriate to the St. Rose Orphan Asylum, of Milwaukee, a sum of money therein named. Senator Mitchell. To Committee on Charitable and Penal Institutions, 107; reported favorably; Committee on Claims, 331; reported without recommendation, 588; considered, 621; amended, 622; passed, 623; Assembly concurs, 653; enrolled, 679; approved, 690; published as chapter 350.

No. 84, S.—A bill to appropriate to the Orphans' Association, of Milwaukee, a sum of money therein named. Senator Mitchell. To Committee on Charitable and Penal Institutions, 107; reported favorably; Committee on Claims, 331; reported without recommendation, 588; considered, 621; amended, 622; passed, 623; Assembly concurs, 653; enrolled, 679; approved, 690; published as chapter 349.

No. 85, S.—A bill to appropriate to the Milwaukee Hospital, of Milwaukee, a sum of money therein named. Senator Mitchell. To Committee on Charitable and Penal Institutions, 107; reported unfavorably; recommitted to select committee, Senator Mitchell, 362; reported, 631.

No. 86, S.—A bill to appropriate a sum of money therein named to the Fond du Lac Relief Society, for the maintenance of a Home for the Friendless. Senator Hinner. To Committee on Charitable and Penal Institutions, 107; reported favorably; Committee on Claims, 332; reported without recommendation, 588; considered, 621; passed, 623; Assembly concurs, 653; enrolled, 680; approved, 690; published as chapter 352.

No. 87, S.—A bill to appropriate to the Cadle Home, of Green Bay, five hundred dollars. Senator Hudd. To Committee on Charitable and Penal Institutions, 108; reported favorably; Committee on Claims, 331; reported without recommendation, 588; considered, 621; passed, 623; Assembly concurs, 653; enrolled, 680; approved, 690; published as chapter 351.

No. 88, S.—A bill to appropriate to St. Luke's Hospital, of Racine, five hundred dollars. Senator Baker. To Committee on Charitable and Penal Institutions, 108; reported favorably; Committee on Claims, 331; reported without recommendation, 588; considered, 621; passed, 623; Assembly concurs, 653; enrolled, 678; approved, 688; published as chapter 322.

No. 89, S.—A bill to provide for acquiring title to certain pieces of land within the grounds of the Wisconsin State Hospital for the Insane. Senator Reed. To Committee on Charitable and Penal Institutions, 108; reported with amendment, 160; amended and ordered engrossed, 165; engrossed, 181; to Committee on Claims, 184; reported favorably, 225; passed, 229; Assembly concurs, 464; enrolled, 514; approved, 604; published as chapter 148.

No. 90, S.—A bill to amend chapter 343, of the private and local laws of 1870, entitled, "An act to amend chapter 140, of the private and local laws of 1859, entitled, 'an act to amend an act, entitled, an act to incorporate the village of Monroe, and the acts amendatory thereof.'" Senator Treat. To Committee on State Affairs, 108; reported and referred to Committee on Internal Improvements, 158; reported by substitute, 225; substitute ordered printed, 230; amended and ordered engrossed, 308; engrossed, 332; passed, title amended, 336; Assembly concurs, 517; enrolled, 615; approved, 643; published as chapter 240.

No. 91, S.—A bill to appropriate a sum of money to the St. Nazaian Society, of Manitowoc. Senator Schuette. To Committee on Charitable and Penal Institutions, 108; reported adversely, 485; recommitted to Committee on Claims, 505; reported adversely, 599; considered, 621; passed, 623; Assembly concurs, 653; enrolled, 678; approved, 689; published as chapter 324.

No. 92, S.—A bill to authorize the taking of fish in the public waters of the State for the purposes of artificial propagation. Senator Barron. To Committee on State Affairs, 118; reported favorably, 157; ordered engrossed, 146; engrossed, 181; passed, 184; Assembly concurs, 358; enrolled, 373; signed by Speaker, signed by President, 407; presented to Governor, 429; approved, 475; published as chapter 67.

No. 93, S.—A bill to repeal chapter 348, of the laws of Wisconsin of 1874, entitled, "An act to amend chapter 46, of the general laws of 1869, entitled, 'an act to protect the lands and timber granted to the St. Croix and Lake Superior Railroad Company.'" Senator Barron. To Committee on Judiciary, 119; reported with amendment, 173; amended and ordered engrossed, 176; engrossed, 193; considered and laid aside, 200; postponed, 209; postponed, 249; considered, 307; passed, 478; Assembly concurs, 644; enrolled, 677; approved 690; published as chapter 339.

No. 94, S.—A bill to appropriate a certain sum to the State Historical Society. Senator Barron. To Committee on Claims, 119; reported favorably, 403; ordered engrossed 411; engrossed, 415; passed, 421; Assembly concurs, 518; enrolled, 526; approved, 605; published as chapter 149.

No. 95, S.—A bill relating to county agricultural societies, and to appropriate a sum of money therein named. Senator Potter. To Committee on Agriculture, 119; reported favorably, 172; referred to Committee on Claims, 176; reported favorably, 245; ordered engrossed, 250; engrossed, 261; passed, title amended: A bill relating to the Waushara County Agricultural Society, and to appropriate a sum of money therein named, 266; Assembly concurs, 444; enrolled, 468; approved, 602; published as chapter 95.

No. 96, S.—A bill to provide for proving claims in justice court. Senator Barron. To Committee on Judiciary, 119; reported with amendment, 173; amended and ordered engrossed, 176; engrossed, 193; passed, 200; Assembly concurs, 445; enrolled, 468; approved, 602; published as chapter 88.

No. 97, S.—A bill in relation to evidence in suits on official bonds, and to recover public funds. Senator Welch. To Committee on Judiciary, 132; reported unfavorably, 181; indefinitely postponed, 185.

No. 98, S.—A bill to amend chapter 46, of the general laws of 1869, entitled, "An act to protect the lands and timber thereon granted to the St. Croix and Lake Superior Railroad Company." Senator Barron. To Committee on Judiciary, 132; reported favorably, 173; ordered engrossed, 175; engrossed, 193; passed, 200; Assembly concurs, 376; enrolled, 405; signed by Speaker, signed by President, 419; presented to Governor, 430; approved, 475; published as chapter 75.

No. 99, S.—A bill to appropriate to the Milwaukee Industrial School a sum of money therein named. Senator Mitchell. To Committee on Charitable and Penal Institutions, 132; reported favorably; Committee on Claims, 332; reported without recommendation, 588; considered, 621; amended, 622; passed, 623; Assembly concurs, 654; enrolled, 678; approved, 688; published as chapter 323.

No. 100, S.—A bill to amend section 1, of chapter 92, of the private and local laws of 1868, entitled, "An act to amend section 1, of chapter 340, of the private and local laws of 1867, entitled, 'an act to incorporate the Taylor Orphan Asylum.'" Senator Baker. Rules suspended and passed, 132; Assembly amended and concurred, 501; Assembly amendment concurred in, 502; enrolled, 528; approved, 605; published as chapter 156.

No. 101, S.—A bill to amend section 1, and repeal section 7, of chapter 146, of the general laws of 1872, entitled, "An act to authorize the organization of corporations for other than manufacturing, mercantile, insurance, banking, transportation or trading purposes." Senator Bryant. To Committee on State Affairs, 132; reported favorably, 158; ordered engrossed, 164; engrossed, 181; passed, 184; Assembly concurs, 358; enrolled, 406; signed by Speaker, signed by President, 419; presented to Governor, 430; approved, 475; published as chapter 81.

No. 102, S.—A bill relating to telegraph companies, and amendatory of chapter 141, of the general laws of 1868, entitled, "An act to provide for the taxation of telegraph companies, and to repeal chapter 160, of the general laws of 1867, entitled, 'an act to provide for the taxation of telegraph companies.'" Senator Potter. To Committee on Railroads, 133; reported adversely, 404; considered, 411; indefinitely postponed, 446.

No. 103, S.—A bill to appropriate a sum of money therein named to the Industrial School for Boys, for the purpose of introducing the manufacture of boots and shoes. Senator Reed. To Committee on Charitable and Penal Institutions, 142; reported favorably, 172; referred to Committee on Claims, 176; reported favorably, 182; ordered engrossed, 185; engrossed, 206; passed, 209; Assembly concurs, 357; en-

rolled, 373; signed by Speaker, signed by President, 407; presented to Governor, 429; approved, 475; published as chapter 68.

No. 104, S.—A bill to repeal chapter 97, of the laws of 1870, entitled, "An act to exempt from execution a printing press and presses and printer's material to the amount of fifteen hundred dollars." Senator Schuette. To Committee on State Affairs, 156; reported favorably, 417; refused engrossment, 423; reconsidered, ordered engrossed, 425; engrossed, 450; passed, 459; Assembly indefinitely postponed, 683.

No. 105, S.—A bill to appropriate to the Dodge County Agricultural Society, a sum of money therein named. Senator Barney. To Committee on Claims, 156; reported favorably, 245; ordered engrossed, 251; engrossed, 261; passed, 266; Assembly concurs, 444; enrolled, 467; approved, 602; published as chapter 85.

No. 106, S.—A bill to permanently provide for deficiencies in the University fund income. Senator Barron. To Committee on Education, 156; reported favorably, 194; To Committee on Claims, 195; reported with amendment, 225; amended and ordered engrossed, 230; engrossed, 242; passed, 249; Assembly amended and concurred, 464; concurred in Assembly amendments, 476; enrolled, 500; approved, 602; published as chapter 117.

No. 107, S.—A bill to provide for the increase of State school money, and to raise an annual State tax for that purpose. Senator Barron. To Committee on Education, 156; reported favorably, recommitted to Committee on Claims, 468; reported adversely, 598; indefinitely postponed; reconsidered; passed, 658; Assembly indefinitely postponed, 683.

No. 108, S.—A bill to authorize the trustees of the State Library to donate duplicate volumes to the Milwaukee Law Library Association. Senator Potter. To Committee on State Affairs, 156; reported favorably, 171; ordered engrossed, 175; engrossed, 193; passed, 200; Assembly amends; amendment concurred in 590; enrolled, 597; approved, 643; published as chapter 229.

No. 109, S.—A bill in relation to the organization of towns. Senator Scott. To Committee on Judiciary, 157; reported with amendment, 213; amended and ordered engrossed, 215; engrossed, 221; passed, 228; Assembly amended and concurs, 491; correctly enrolled, 500; Assembly amendment concurred in, 502; (journalized as No. 106, S.); approved 602; published as chapter 110.

No. 110, S.—A bill relating to the change of venue in civil cases. Senator McFarland. To Committee on Judiciary, 157; reported with amendment, 194; amended and ordered engrossed, 200; engrossed, 206; passed, 208; Assembly concurs, 444; enrolled, 483; approved, 602; published as chapter 104.

No. 111, S.—A bill to amend chapter 223, of the laws of Wisconsin, of 1875, entitled, "An act to lay out and establish a State road from the village of St. Croix Falls, in Polk county, to and intersecting State road established from New Richmond, to Ashland." Senator Barron. To Committee on Roads, Bridges, and Ferries, 157; reported favorably, 195; ordered engrossed, 111; engrossed, 206; passed, 208; Assembly concurs, 608; enrolled, 615; approved, 643; published as chapter 245.

No. 112, S.—A bill to authorize the county of Burnett, to build and maintain a free bridge across the St. Croix River, in town thirty-eight, north of range twenty, west. Senator Barron. To Committee on Roads, Bridges, and Ferries, 157; reported favorably, 195; postponed one week, 200; considered, 281; amended, ordered engrossed, 461; engrossed, 497; passed, 503; Assembly concurs, 644; enrolled, 676; approved, 689; published as chapter 329.

No. 113, S.—A bill to amend chapter 303, of the laws of Wisconsin of 1874, entitled, "An act to facilitate the execution of trusts in certain cases." Senator Barron. To Committee on Railroads, 157; reported favorably, 313; ordered engrossed, 319; engrossed, 342; passed, 348; Assembly concurs, 516; enrolled, 526; approved, 605; published as chapter 158.

No. 114, S.—A bill to appropriate money to the Outagamie County Agricultural Society. Senator Ryan. To Committee on Claims, 169; reported favorably, 225; ordered engrossed, 229; engrossed, 243; passed, 249; Assembly concurs, 444; enrolled, 468; approved, 601; published as chapter 87.

No. 115, S.—A bill to establish the salaries of State officers. Senator Potter. To Committee on State Affairs, 169; reported with amendment, 470; recommitted to

Committee on State Affairs, 505; reported with amendments, 539; considered, 548; amended and ordered printed, 556; amended, 611; considered, 612; ordered engrossed, 620; engrossed, 625; passed, 647; Assembly concurs 680; enrolled, 679; approved, 690; published as chapter 341.

No. 116, S.—A bill to amend chapter 86, laws of 1872, entitled, an act conferring jurisdiction on the county court of Dodge county. Senator Barney. To Committee on Judiciary, 169; reported favorably, 207; ordered engrossed, 215; engrossed, 221; passed, 229; Assembly concurs, 608; enrolled, 627; approved, 662; published as chapter 294.

No. 117, S.—A bill in relation to new trials in civil and criminal actions. Senator Silverthorn. To Committee on Judiciary, 169; reported favorably, 207; ordered engrossed, 215; engrossed, 221; passed, 229; Assembly concurs, 517; enrolled, 526; approved, 605; published as chapter 150.

No. 118, S.—A bill to appropriate to Reuben May a sum of money to cover his expenses in contested election case. Senator Silverthorn. To Committee on Claims, 169; reported with amendments, 553; recommitted to Committee on State Affairs, 559; reported with amendments, 561; amended, ordered engrossed, 570; engrossed, 576; passed, 593; Assembly amended and concurred, 646; refused to concur in Assembly amendments, 656; recommitted to Committee on Federal Relations, reported with amendment, 661; amended and concurred in, 667; Assembly concurred in Senate amendments to Assembly amendments, 672; enrolled, 678; approved, 689; published as chapter 325.

No. 119, S.—A bill relating to sheriffs. Senator Tate. To Committee on Judiciary, 169; reported adversely, 207; indefinitely postponed, 215.

No. 120, S.—A bill to codify, consolidate, and amend the act to incorporate the city of Appleton, and the several acts amendatory thereof. Senator Ryan. To Committee on Judiciary, 170; reported with amendment, amended and passed, 213; Assembly concurs, 226; enrolled, 354; signed by Speaker, signed by President, 356; presented to Governor, 361; approved, 474; published as chapter 47.

No. 121, S.—A bill to amend chapter 80, of the general laws of 1872, entitled, "An act authorizing cities and villages to establish free public libraries and reading-rooms." Senator Flint. To Committee on Education, 170; reported favorably, 374; ordered engrossed, 379; engrossed, 467; passed, 478; Assembly amended and concurred, 608; Assembly amendments concurred in, 610; enrolled, 626; approved, 662; published as chapter 295.

No. 122, S.—A bill to extend the time for settlers upon certain land-grant lands to acquire title thereto. Senator Barron. To Committee on Railroads, 170; reported with amendments, 485; amended, ordered engrossed, 522; engrossed, 587; amended, passed, 611; Assembly concurs, 645; enrolled, 679; approved, 691; published as chapter 392.

No. 123, S.—A bill to amend section 6, of chapter 134, entitled, "Of executions and proceeding supplementary thereto." Senator Barron. To Committee on Judiciary, 170; reported favorably, 207; ordered engrossed, 215; engrossed, 222; passed, 229; Assembly concurs, 517; enrolled, 526; approved, 604; published as chapter 137.

No. 124, S.—A bill to amend sections 4 and 5, of chapter 164, of the private and local laws of 1870, entitled, "An act to incorporate the Nimakogan and Totogatic Dam Company." Senator Barron. To Committee on Judiciary, 170; reported favorably, 207; ordered engrossed, 215; engrossed, 222; postponed, 229; amended and passed, 460; Assembly concurs, 606; enrolled, 685; approved, 692; published as chapter 405.

No. 125, S.—A bill relating to railroads, and to repeal section 2, of chapter 113, of the general laws of 1875, entitled, "An act to amend chapter 273, general laws of 1874, entitled, 'an act relating to railroads, express, and telegraph companies in the State of Wisconsin.'" Senator Campbell. To Committee on Railroads, 179; reported adversely, 450; recommitted to select committee, 462.

No. 126, S.—A bill to amend section 1, of chapter 84, of the general laws of 1874, entitled, "An act to amend chapter 166, of the general laws of 1889, entitled, 'an act to repeal chapter 132, of the general laws of 1866, entitled, 'an act to vest the title of unredeemed lands in counties.'" Senator Silverthorn. To Committee on

Town and County Organization, 179; reported favorably, 225; ordered engrossed, 229; engrossed, 242; passed, 248; Assembly concurs, 444; enrolled, 468; approved, 601; published as chapter 100.

No. 127, S.—A bill to amend chapter 171, of the private and local laws of 1868, entitled, "An act to amend chapter 30, of the private and local laws of 1853, entitled, 'an act to incorporate the Wisconsin River Improvement Company, and to amend chapter 171, of the private and local laws of 1866, amendatory thereof.'" Senator Scott. To Committee on Judiciary, 179; reported, Committee on Incorporations, 288; reported with amendments, 451; amended, ordered engrossed, 461; engrossed, 467; passed, 478; Assembly concurs, 607; enrolled 627; approved, 663; published as chapter 298.

No. 128, S.—A bill to authorize the Lake Avenue Company to convey its franchise and property. Senator Mitchell. To select committee, 179; reported favorably, 306; ordered engrossed, 319; engrossed, 343; passed, 348; Assembly concurs, 464; enrolled, 500; approved, 603; published as chapter 120.

No. 129, S.—A bill to provide compensation for indexing and completing the transcribing of the Journals of the Senate and Assembly. Senator Barden. To Committee on Claims, 179; reported favorably, 315; ordered engrossed, 318; engrossed, 342; passed, 350; Assembly concurs, 464; enrolled, 500; approved, 603.

No. 130, S.—A bill to repeal chapter 150, of the general laws of 1868, entitled, "An act relating to the collection of taxes," and all acts amendatory thereof. Senator Barden. To Committee on Judiciary, 179; reported with amendment, 244; amended and ordered engrossed, 251; engrossed, 275; passed, title amended: A bill relating to the collection of taxes, and amendatory of chapter 301, of the laws of Wisconsin of 1873, 280; Assembly indefinitely postponed, 491.

No. 131, S.—A bill to appropriate to the Iowa County Agricultural Society a sum of money therein named. Senator McFarland. To Committee on Claims, 180; reported favorably, 245; ordered engrossed, 251; correctly engrossed, 261; passed, 266; Assembly amended and concurs, and amended title: "A bill to appropriate to the Iowa and Door County Agricultural Societies a sum of money therein named," 444; concurred in Assembly amendments, 445; enrolled, 483; approved, 602; published as chapter 108.

No. 132, S.—A bill to extend the time for the construction of the North Wisconsin Railway, and to waive the forfeiture incurred by the North Wisconsin Railway Company, by its failure to construct twenty miles of its road during the year 1875. Senator Barron. To Committee on Railroads, 180; reported favorably, 223; ordered engrossed, 229; engrossed, 243; passed, 248; Assembly amended and concurs, 542; Assembly amendment concurred in, 543; enrolled, 576; approved, 642; published as chapter 223.

No. 133, S.—A bill to amend section 3, of chapter 79, of the revised statutes of 1858, entitled, "Of railroads." Senator Barron. To Committee on Railroads, 180; reported with amendment, 313; amended, ordered engrossed, 319; engrossed, 342; passed, 348; Assembly concurs, 444; enrolled, 513; Governor requested to return without signature, 549; returned by Governor, 550; Assembly asked the return for amendment; returned; Assembly returned; title amended: "A bill to amend section 40, of chapter 119, of the general laws of 1872, entitled, 'an act in relation to railroads and the organization of railroad companies,'" Assembly amendment concurred in, 550; enrolled 553; approved, 606; published as chapter 126.

No. 134, S.—A bill to repeal chapter 267, laws of 1873, entitled, "An act to authorize town supervisors to lay out public highways in certain cases." Senator Barney. To Committee on Roads, Bridges, and Ferries, 180; reported favorably, 222; ordered engrossed, 229; engrossed, 243; passed, 249; reported unfavorably, 315; indefinitely postponed, 336.

No. 135, S.—A bill for the preservation of fish in Long Lake, in the counties of Barron and Burnett. Senator Barron. To Committee on State Affairs, 180; reported favorably, 598; ordered engrossed, 621; engrossed, 625; passed, 646; Assembly concurs, 681; enrolled, 679; approved, 691; published as chapter 397.

No. 136, S.—A bill to provide for the rebuilding of a portion of the Institute for the Education of the Blind, and to appropriate a sum of money therein named for that purpose. Senator H. N. Davis. To Committee on Charitable and Penal Insti-

tutions, 180; reported favorably, to Committee on Claims, 315; reported with amendment, 582; amended, passed, 594; Assembly concurs, 644; enrolled, 678; approved, 690; published as chapter 342.

No. 137, S.—A bill to fix the time of holding the several terms of the circuit court in the fourth judicial circuit. Senator Hiner. To select committee, 180; reported with amendment, amended and passed; Assembly concurs, 457; enrolled, 468; approved, 601; published as chapter 84.

No. 138, S.—A bill to confer jurisdiction on the county court of La Fayette county Senator Campbell. To Committee on Judiciary, 180; reported favorably, 244; to Committee on Claims, 252.

No. 139, S.—A bill to appropriate to P. R. Tierney a sum of money therein named. Senator Bryant. To Committee on State Affairs, 190; reported and referred to Committee on Claims, 224; reported with amendment, 386; amended and ordered engrossed, 394; correctly engrossed, 398; passed, 410; Assembly concurs, 491; enrolled, 514; approved, 603; published as chapter 125.

No. 140, S.—A bill to authorize Dudley J. Spaulding to maintain dams across the north and south forks of Popple River and Brett Creek, in Clark county. Senator Nevins. To Committee on Incorporations, 191; ordered engrossed, 229; engrossed, 243; passed, 249; Assembly concurs, 445; enrolled, 483; approved, 602; published as chapter 105.

No. 141, S.—A bill to further provide against injury to life and property upon railways. Senator Barron. To Committee on Railroads, 191; reported with amendments, 599; amended and ordered engrossed, 621; engrossed, 625; passed, 647; Assembly concurs, 680; enrolled 679; approved 691; published as chapter 390.

No. 142, S.—A bill to amend chapter 148, of the general laws of 1872, entitled, "An act to amend chapter 130, of the general laws of 1968, entitled, 'an act to provide for the assessment of property for taxation and the levy of taxes thereon.'" Senator Barron. To Committee on Judiciary, 191; reported with amendment, 362; amended, considered, 368; amended, refused engrossment, 378.

No. 143, S.—A bill to amend chapter 176, of the revised statutes, entitled, "Of arrests." Senator Tate. To Committee on Judiciary, 191; reported favorably, 304; ordered engrossed, 319; engrossed, 343; passed, 367; Assembly concurs, 517; enrolled, 526; approved, 605; published as chapter 157.

No. 144, S.—A bill to legalize the salaries of and allowances to the county officers of Burnett county. Senator Barron. To Committee on Town and County Organization, 191; reported with amendment, 470; amended and ordered engrossed, 480; engrossed, 482; passed; title amended: A bill to adjust and settle the salaries of and allowances to certain county officers of Burnett county, 504; Assembly concurs, 606; enrolled, 628; approved, 663; published as chapter 304.

No. 145, S.—A bill to amend chapter 46, of the general laws of 1869, entitled, "An act to protect the lands, and timber thereon, granted to the St. Croix and Lake Superior Railroad Company." Senator Barron. To Committee on Judiciary, 191; reported with amendments 313; amended, ordered engrossed, 319; engrossed, 366; passed, 367; Assembly concurs, 645; Assembly amendment concurred in, 656; enrolled, 677; approved, 689; published as chapter 335.

No. 146, S.—A bill to provide for the more efficient protection from trespassers of certain lands embraced in the grants made by Congress to the State of Wisconsin, by acts approved respectively, June 3, 1856, and May 5, 1864, and of the timber standing and growing thereon. Senator Barron. To Committee on Judiciary, 191; reported favorably, 314; ordered engrossed, 319; engrossed, 343; passed, 349; Assembly concurs, 606; enrolled, 627; approved, 664; published as chapter 308.

No. 147, S.—A bill to allow sheriffs and constables to receive necessary and actual disbursements in certain cases. Senator Hathaway. To Committee on Judiciary, 191; reported with amendment, 222; amended, ordered engrossed, 230; engrossed, 243; passed, 249; Assembly concurs, 517; enrolled, 527; approved, 606; published as chapter 147.

No. 148, S.—A bill to confer on certain associations of the citizens of the State of Wisconsin, the powers and immunities of corporations and bodies politic in law. Senator Hathaway. To Committee on Judiciary, 191; reported favorably, 244; or-



dered engrossed, 251; engrossed, 288; passed, 290; Assembly refused to concur, 609; Assembly requested the return, returned to Assembly, 618; Assembly returns concurred in, 635; enrolled, 676; approved, 689; published as chapter 331.

No. 149, S.—A bill relating to the preparation, publication, and distribution of the final report of the geological survey, and to appropriate a sum of money therein named. Senator H. N. Davis. To Committee on Education, 192; reported favorably, 246; ordered engrossed, 251; engrossed, 261; to Committee on Claims, 267; reported favorably, 366; passed, 367; Assembly concurs, 490; enrolled, 514, approved 604; published as chapter 121.

No. 150, S.—A bill to provide for the better care of pauper and destitute children. Senator Reed. To Committee on Charitable and Penal Institutions, 192; reported favorably, 246; ordered engrossed, 251; engrossed, 261; passed, 266; Assembly amended and concurs, 491; Assembly amendment concurred in, 502; enrolled, 527; approved, 604; published as chapter 142.

No. 151, S.—A bill to repeal section 15, of chapter 533, of the general laws of 1865, entitled, "An act to accept the grant of lands made to the State of Wisconsin, by act of Congress, approved June 25, 1864, to aid the construction of a military road from Wausau, Marathon county, to Lake Superior," and to amend section 10, of said chapter 533, by appropriating a sum of money therein named. Senator Scott. To Committee on Roads, Bridges, and Ferries, 192; reported with amendment, 263; amended and referred to Committee on Claims, 267; reported with amendment, 403; ordered engrossed, 411; engrossed, 415; passed, 421; Assembly concurs, 518; enrolled, 527; approved, 604; published as chapter 143.

No. 152, S.—A bill to provide for furnishing bibles for the several penal and charitable, and reformatory institutions of the State of Wisconsin. Senator Barron. To Committee on Charitable and Penal Institutions, 192; reported without recommendation, 246; indefinitely postponed, 251.

No. 153, S.—A bill to amend section 13, of chapter 243, of the laws of 1874, entitled, "An act relating to public printing." Senator Barden. To Committee on Legislative Expenditures, 192; reported with amendment, 225; amended and ordered engrossed, 251; engrossed, 261; passed, 266; Assembly concurs, 444; enrolled, 483; approved, 602; published as chapter 109.

No. 154, S.—A bill to waive the statutes of limitations and other technical defenses therein named. Senator Bryant. To Committee on Judiciary, 192; reported favorably, 248; postponed, 269; considered, recommitted to Committee on Finance, 308; reported without recommendation; minority reported unfavorably, 345; considered; laid on the table, 350.

No. 155, S.—A bill to constitute and organize the 13th judicial circuit of the State of Wisconsin, and to change the limits of the 6th, 7th, and 8th circuits. Senator Silverthorn. To Committee on Judiciary, 192; reported with recommendation of reference, recommitted to select committee, 580.

No. 156, S.—A bill relating to the Supreme Court. Senator Bryant. To Committee on Judiciary, 192; reported with amendments, 384; amended and ordered engrossed, 394; engrossed, 415; passed, 421; Assembly concurs, 564; Assembly requests the return for reconsideration; returned; Assembly requested to return; Assembly returns; passed, 591; Assembly concurs, 636; enrolled, 626; approved, 662; published as chapter 284.

No. 157, S.—A bill to appropriate a sum of money for the purchase of books for the State Library. Senator Bryant. To Committee on Judiciary, 193; reported favorably, minority dissenting, 244; to Committee on Claims, 252; reported favorably with amendment, 469; amended and ordered engrossed, 480; engrossed, 497; passed, 504; Assembly concurs, 608; enrolled, 627; approved, 662; published as chapter 281.

No. 158, S.—A bill to establish a municipal court in the city of Wausau. Senator Silverthorn. To Committee on Judiciary, 193; reported with amendment, 366; substitute adopted, passed, 368; Assembly concurs, 517; enrolled, 527; approved, 605; published as chapter 146.

No. 159, S.—A bill relating to the Senate and Assembly Journals. Senator Schuette. To Committee on State Affairs, 204; reported favorably, 331; ordered

engrossed, 337; engrossed, 343; passed, 349; Assembly concurs, 606; enrolled, 615; approved, 643; published as chapter 242.

No. 160, S.—A bill to amend chapter 184, laws of 1875, relating to highways and bridges. Senator Downs. To Committee on Roads, Bridges, and Ferries, 204; reported favorably, 330; ordered engrossed, 337; engrossed, 343; passed 349; Assembly concurs, 607; enrolled, 627; approved, 663; published as chapter 297.

No. 161, S.—A bill to lay out and establish a State road from Viroqua to Elroy. Senator Tate. To Committee on Roads, Bridges, and Ferries, 205; reported favorably, 374; ordered engrossed, 379; engrossed, 383; passed 393; Assembly concurs, 636; enrolled, 651; approved, 683; published as chapter 319.

No. 162, S.—A bill in relation to claims against the State presented to either branch of the legislature. Senator Barron. To Committee on Claims, 205; reported favorably, 385; ordered engrossed, 394; engrossed, 398; passed, 410; Assembly concurs, 491; enrolled, 627; approved, 604; published as chapter 140.

No. 163, S.—A bill to amend section 2, of chapter 135, of the revised statutes, entitled, "Of the survival of actions, and of death, marriage or other disability, occurring after the commencement of the action." Senator Silverthorn. To Committee on Judiciary, 205; reported favorably, 244; ordered engrossed, 251; engrossed, 261; passed, 266.

No. 164, S.—A bill relating to actions for the foreclosure of mortgages. Senator Bryant. To Committee on Judiciary, 205; reported favorably, 304; ordered engrossed, 319; engrossed, 343; passed, 349; Assembly concurs, 517; enrolled, 526; approved, 605; published as chapter 152.

No. 165, S.—A bill in relation to the assessment and collection of taxes. Senator Silverthorn. To Committee on Judiciary, 205; reported favorably, 244; ordered engrossed, 251; passed, 266; Assembly refused to concur, 445.

No. 166, S.—A bill to provide for the safe keeping of public moneys, and the investment of surplus funds. Senator Potter. To Committee on State Affairs, 205; reported adversely, 539; considered, 612; amended and ordered engrossed, 620; engrossed, 625; passed, 648; Assembly concurs, 681; enrolled, 679; approved, 690; published as chapter 340.

No. 167, S.—A bill to legalize the acts and proceedings of a town meeting in the town of Medford, in the county of Taylor, held on the 15th day of October, 1875, for the purpose of voting on the location of county buildings, the price to be paid for the same, and the manner of paying for the same. Senator Flint. To Committee on Judiciary, 205; reported with amendment, 400; amended and ordered printed, 422; engrossed, 449; passed; titled amended: "A bill to establish the site for county buildings in the county of Taylor," 460; Assembly refused to concur, 635.

No. 168, S.—A bill to require the building and maintaining of fences along highways. Senator Welch. To Committee on Roads, Bridges, and Ferries, 211; reported adversely, 526.

No. 169, S.—A bill relating to county roads, and amendatory of section 132, of chapter 152, of the general laws of 1869, entitled, "An act to codify the laws of this State, relating to highways and bridges." Senator Downs. To Committee on Roads, Bridges, and Ferries, 211; reported favorably, 402; ordered engrossed, 412; engrossed, 416; passed, 421; Assembly refused to concur, 609.

No. 170, S.—A bill to constitute and organize the 14th judicial circuit, and to fix the terms therein, and to change the limits of the 3d, 4th, and 10th circuits. Senator Ryan. To Committee on Judiciary, 211; reported adversely, 539; recommitted to select committee, 548; reported with amendment, 562; amended; passed, title amended: "A bill to authorize the appointment of phonographic reporters for certain counties in the eleventh judicial circuit," 584; Assembly concurs, 645; enrolled, 676; approved, 691; published as chapter 347.

No. 171, S.—A bill to repeal section 33, of chapter 124, revised statutes 1858, entitled, "Of jurisdiction of justices in criminal cases." Senator Hudd. To Committee on Judiciary, 211; reported unfavorably, 277; indefinitely postponed, 281;

No. 172, S.—A bill to amend chapter 343, of the laws of 1875, entitled, "An act to amend chapter 127, of the laws of 1874, entitled, 'an act to incorporate the city of Menasha.'" Senator Rounds. To Committee on Judiciary, 211; reported favor-

ably, 244; ordered engrossed, 251; engrossed, 261; passed 266; Assembly concurs, 464; enrolled 500; approved, 602; published as chapter 131.

No. 173, S.—A bill to aid free discussion and sustain the liberty of the press. Senator Farr. To Committee on Judiciary, 211; reported adversely, 539; indefinitely postponed, 547.

No. 174, S.—A bill in relation to the North Wisconsin Railway. Senator Barron. To Committee on Railroads, 218; reported adversely, 404; indefinitely postponed, 411.

No. 175, S.—A bill to legalize certain tax-sales in the county of Chippewa. Senator Flint. To Committee on Judiciary, 218; reported favorably, 304; ordered engrossed, 319; engrossed, 343; passed, 349; Assembly concurs, 517; enrolled, 526; approved, 605; published as chapter 154.

No. 176, S.—A bill to provide for the incorporation of associations or companies for lumbering or logging purposes. Senator Scott. To Committee on Incorporations, and ordered not printed, 218; reported with amendment; recommitted to Committee on Judiciary, 416; reported with amendment, 451; recommitted to Committee on State Affairs; ordered printed, 461; reported favorably, 497; amended, passed, 505; title amended: "A bill to facilitate the driving of logs down the rivers of this State, and their tributaries," 509; Assembly concurs with amendment, 645; Assembly amendment concurred in, 656; enrolled, 679; approved, 691; published as chapter 399.

No. 177, S.—A bill to improve the south branch of the Eau Claire River and its tributaries in Clark county. Senator Flint. To Committee on Judiciary, 218; reported favorably, 371; recommitted to Committee on Incorporations, 378; reported favorably, 386; ordered engrossed, 394; engrossed, 398; passed, 410; Assembly concurs, 664; enrolled, 587; approved, 642; published as chapter 220.

No. 178, S.—A bill to improve the north branch of Eau Claire River in the county of Clark. Senator Flint. To Committee on Judiciary, 218; reported favorably, 372; recommitted to Committee on Incorporations, 378; reported favorably, 386; ordered engrossed, 394; engrossed, 398; passed, 410; Assembly concurs, 665; enrolled, 597; approved, 643; published as chapter 219.

No. 179, S.—A bill to protect wild pigeons in their nesting-places. Senator Bryant. To Committee on State Affairs, 218; reported adversely, 597; indefinitely postponed, 657.

No. 180, S.—A bill to authorize the Secretary of State to order the binding of the report of the State Board of Charities and Reform. Senator Reed. To Committee on State Affairs, 218; reported favorably, 417; recommitted to Committee on Claims, 423; reported favorably, 469; ordered engrossed, 480; engrossed, 482; passed, 504; Assembly concurs, 608; enrolled, 627; approved, 662; published as chapter 289.

No. 181, S.—A bill in relation to the inspection of lumber in the 10th lumber-district. Senator Silverthorn. To select committee of two consisting of Senators Silverthorn and Scott, 218; reported with amendment, 472; amended, ordered engrossed, 505; engrossed, 510; passed; title amended: A bill to enable the town of Jenny, in Lincoln county, to improve the navigation of the Wisconsin River, in said town, 522; Assembly refused to concur, 645.

No. 182, S.—A bill for the organization of corporations for benevolent purposes. Senator Barron. To Committee on Incorporations, 218; reported favorably, 277; ordered engrossed, 281; engrossed, 289; passed, 290; Assembly concurs, 491; enrolled, 526; approved, 605; published as chapter 189.

No. 183, S.—A bill to authorize the Commissioners of School and University Lands to loan a portion of the trust-funds of the State to the county of Racine. Senator Baker. To Committee on Education, 218; reported favorably, 287; ordered engrossed, 291; engrossed, 332; passed, 336; Assembly concurs, 444; enrolled, 483; approved, 602; published as chapter 107.

No. 184, S.—A bill to regulate the license to be paid by railroad companies. Senator Scott. To Committee on Railroads, 219; reported favorably, 313; ordered engrossed, 319; engrossed, 332; passed, 336; Assembly concurs, 420; enrolled, 468; approved, 601; published as chapter 97.

No. 185, S.—A bill to authorize the Commissioners of School and University

Lands to loan a portion of the trust-funds of the State to the county of Wood. Senator Scott. To Committee on Education, 220; reported favorably, 287; ordered engrossed, 291; engrossed, 332; passed, 336; Assembly concurs, 491; enrolled, 527; approved, 605; published as chapter 144.

No. 186, S.—A bill to authorize county judges to grant pardons in certain cases. Senator Flint. To Committee on Judiciary, 219; reported adversely, 398; recommitted to select committee, 399; reported with amendment, 600; amended and ordered engrossed, 621; engrossed, 625; passed, title amended: "A bill to legalize the acts of the town board of supervisors of the town of Stanfold, Barron county," 647; Assembly concurs, 680; enrolled, 679; approved, 691; published as chapter 391.

No. 187, S.—A bill relating to the office of Supreme Court reporter. Senator Ryan. To Committee on Judiciary, 219; reported unfavorably, 305; to Committee on Judiciary, 320; reported adversely, 398; recommitted to select committee, 399.

No. 188, S.—A bill to appropriate to the Superintendent of Public Property the sum therein named for the use of the State. Senator Bryant. To Committee on Finance, 219; reported favorably, 538; recommitted to Committee on Claims, 547; reported favorably, 560; ordered engrossed, 584; engrossed, 596; passed, 620; Assembly amend and concurred; title amended: "A bill to appropriate money for the purchase of stationery for the use of the State." Senate refused concurrence in Assembly amendments; conference asked, 672; report of conference committee, 681; Assembly recedes; accompanying resolution adopted, 682; correctly enrolled, 685; approved, 692; published as chapter 402.

No. 189, S.—A bill to incorporate the Fireman's Association of the city of Menasha. Senator Rounds. To Committee on Incorporations, 219; reported with amendments, 362; amended and ordered engrossed, 368; engrossed, 394; passed, 393; Assembly concurs, 606; correctly enrolled, 677; approved —; published as chapter 348.

No. 190, S.—A bill to amend section 2, of title 3, of chapter 253, of the private and local laws of 1868, entitled, "An act to revise and amend chapter 176, of the private and local laws of 1867, entitled, 'an act to amend an act, entitled, 'an act to incorporate the city of Beloit.''" Senator H. N. Davis. To Committee on Incorporations, 219; ordered engrossed, 281; engrossed, 288; passed, 290; Assembly concurs, 491; enrolled, 513; approved, 603; published as chapter 127.

No. 191, S.—A bill to amend chapter 133, of the private and local laws of 1857, entitled, "An act to consolidate and amend the act to incorporate the city of Kenosha," and the several acts amendatory thereof. Senator Farr. To select committee of one, consisting of Senator Farr, 219; reported with amendment; recommitted to Committee on Judiciary, 346; reported favorably, 384; ordered engrossed, 394; engrossed, 415; passed, 421; Assembly concurs, 607; enrolled, 651; approved, 683; published as chapter 316.

No. 192, S.—A bill to authorize the city of La Crosse to build and maintain a bridge across the Mississippi River. Senator Nevins. To Committee on Internal Improvements, 219; reported favorably, 366; ordered engrossed, 368; engrossed, 383; passed, 393; Assembly concurs, 517; enrolled, 527; approved, 605; published as chapter 145.

No. 193, S.—A bill to enable certain towns, cities, and villages to construct and improve harbors. Senator Wilmot. To Committee on Judiciary, 220; reported with amendment, 415; amended, ordered engrossed, 422; engrossed, 449; passed, 459; Assembly concurs, 565; enrolled, 587; approved, 642; published as chapter 221.

No. 194, S.—A bill to authorize the building and maintaining of a dam in the Wisconsin River in the city of Portage. Senator Barden. To Committee on Internal Improvements, 220; reported, to Committee on State Affairs, 329; reported with amendments, 404; amended, ordered engrossed, 412; engrossed, 414; passed, 421; Assembly concurs, 607; enrolled, 626; approved, 662; published as chapter 285.

No. 195, S.—A bill to amend chapter 213, of the laws of 1873, entitled, an act authorizing the construction of a levee along the Wisconsin River in the counties of Columbia and Sauk. Senator Barden. To Committee on Internal Improvements, 220; reported favorably, 366; ordered engrossed, 368; engrossed, 383; passed, 393; Assembly concurs, 608; approved, 643; published as chapter 244.

No. 196, S.—A bill to amend sections 1 and 2, of chapter 138, of the general laws of 1870, entitled, "An act for the destruction of lynxes, wolves, and wild-cats." Senator Douglas. To Committee on Agriculture, 220; reported with amendments, 314; amended, ordered engrossed, 319; engrossed, 343; passed, 349; Assembly concurs, 542; enrolled, 676; approved, 642; published as chapter 237.

No. 197, S.—A bill relating to license-money in Vernon county. Senator Tate. To Committee on State Affairs, 220; reported unfavorably, 312; indefinitely postponed, 320.

No. 198, S.—A bill relating to the circuit courts for Vernon county. Senator Tate. To Committee on Judiciary, 220; reported adversely, 398; indefinitely postponed, 411.

No. 199, S.—A bill to amend chapter 228, of the laws of 1875, entitled, "An act to amend chapter 275, of the private and local laws of 1870, entitled, 'an act to incorporate the city of Manitowoc.'" Senator Schuette. To Committee on Incorporations, 220; reported favorably, 278; ordered engrossed, 281; engrossed, 289, passed, 290; Assembly concurs, 491; enrolled, 514; approved, 604; published as chapter 130.

No. 200, S.—A bill relating to the redemption of lands sold under decree of foreclosure, and amendatory of section 2, of chapter 195, of laws of 1859. Senator Hudd. To Committee on Judiciary, 220; reported favorably, 304; ordered engrossed, 319; engrossed, 343; passed, 349; Assembly concurs, 517; enrolled, 526; approved, 604; published as chapter 141.

No. 201, S.—A bill relating to hawkers and peddlers, and amendatory of chapter 72, of the laws of 1870. Senator Welch. To Committee on Finance, 220; reported favorably, 330; (ordered engrossed, 337) recommitted to Committee on Judiciary, 337; reported with amendment, 499; recommitted to Committee on Judiciary, 505; reported with amendment, 565; considered, 595, 610; laid on the table, 611; reconsidered, amended, passed, 624; Assembly concurs, 680; enrolled, 678; approved, 691; published as chapter 395.

No. 202, S.—A bill concerning railroads in the State of Wisconsin. Senator Hudd. To select committee of one, consisting of Senator Hudd, 221; reported with substitute, recommitted to Committee on Railroads, 306; reported favorably, 313; amended, rules suspended, passed, title amended to read: A bill to amend section 12, of chapter 119, laws of 1872, entitled, "An act in relation to railroads, and the organization of railroad companies," 337; Assembly concurs, 358; enrolled, 373; signed by Speaker, signed by President, 407; presented to Governor, 429; approved, 475; published as chapter 66.

No. 203, S.—A bill to amend section 3, of chapter 299, of the private and local laws of 1870, entitled, "An act to define certain rights and duties of the Beef-Slough Manufacturing, Booming, Log-Driving and Transportation Company." Senator Farr. To Committee on Internal Improvements, 221; reported and referred to select committee, 402; reported with amendments, ordered printed, 452; amended, recommitted to select committee, [to Committee on Incorporations,] 505; reported favorably, 552; amended, ordered engrossed, 557; engrossed, 576; passed, title amended: A bill to authorize John Duncan, Ed. Williams, and S. Taylor to maintain a dam on Silver Creek, 594; Assembly refused to concur, 653.

No. 204, S.—A bill to amend chapter 152, of the general laws of 1869, entitled, "An act to codify the laws of the State relating to highways and bridges." Senator Silverthorn. To Committee on Judiciary, 221; reported adversely, 538; amended and ordered engrossed, 547; engrossed, 551; passed; title amended: "A bill to legalize the official acts of Bently S. Phillips, a notary public for Eau Claire county," 570; Assembly concurs, 608; enrolled, 628; approved, 663; published as chapter 303.

No. 205, S.—A bill to repeal chapter 190, of the laws of Wisconsin of 1875, entitled, "An act to amend chapter 137, of the general laws of 1871, entitled, 'an act to provide for the trial of offenses upon information, and to make the general laws of this State applicable thereto.'" Senator Tate. To Committee on Judiciary, 221; reported unfavorably, 314; indefinitely postponed, 320.

No. 206, S.—A bill relating to public printing. Senator Ryan. To Committee on Printing, 221; reported with amendment, amended, passed; title amended: "A bill to amend section 38, and section 57, chapter 243, laws of 1874, entitled, an act re-

lating to public printing," 513; Assembly concurs, 645; correctly enrolled, 678; approved, 690; published as chapter 338.

No. 207, S.—A bill to amend chapter 59, of the private and local laws of 1868, entitled, "An act to incorporate the city of Fond du Lac," approved February 14, 1868, and limiting the bringing of actions against the city. Senator Hiner. To select committee of one, consisting of Senator Hiner, and ordered not printed, 221; reported favorably, passed, 278; Assembly concurs, 321; enrolled, 467; approved, 601; published as chapter 102.

No. 208, S.—A bill requiring notice to be given in cases where damages may happen to any person on account of insufficiency or want of repair of any highway, bridge, or sidewalk in any incorporated village. Senator Welch. To Committee on Judiciary, 236; reported adversely, recommitted to select committee, 399; reported with amendment, recommitted to Committee on Judiciary, 418; reported adversely, 539; recommitted to select committee, 548.

No. 209, S.—A bill providing for struck juries. Senator Barron. To Committee on Judiciary, 236; reported with amendment 499; amended, ordered engrossed, 522; engrossed, 533; passed, title amended: "A bill to amend section 76, of chapter, 142, of the revised statutes of the State of Wisconsin, entitled, 'the partition of land owned by several persons,'" 545; Assembly concurs, 644; enrolled, 677; approved, 690; published as chapter 337.

No. 210, S.—A bill relating to accounts against life insurance companies. Senator Barron. To Committee on Judiciary, 236; reported adversely, 539; indefinitely postponed, 547.

No. 211, S.—A bill to confer upon Christain Buckhardt, his heirs and assigns, certain franchises upon Willow River, St. Croix county. Senator Barron. To Committee on Judiciary, 236; reported adversely, 579; recommitted to select committee, 595; reported with amendments, 631; amended, passed, title amended: "A bill to change the time for holding the circuit court in Grant county, in the fifth circuit, and to fix the days of commencement of the terms of the circuit court in the fifth judicial circuit," 656; Assembly concurs, 680; enrolled, 679; approved 691; published as chapter 398.

No. 212, S.—A bill to legalize the salaries of the register of deeds and district attorney of Barron county. Senator Barron. To Committee on Judiciary, 237; reported with amendments, 469; amended, ordered engrossed, 480; correctly engrossed, 492; passed, title amended: "A bill to legalize the salary of the register of deeds of the county of Barron," 504; Assembly concurs, 606; correctly enrolled, 627; approved, 662; published as chapter 292.

No. 213, S.—A bill in relation to chattel mortgages. Senator Barron. To Committee on Judiciary, 237; reported with amendment; recommitted to select committee, 512; reported favorably, 528; amended, ordered engrossed, 531; correctly engrossed, 565; passed, 583; title amended: "A bill to declare a certain highway in Kewaunee and Brown counties a State road," 584; Assembly refused to concur, 645.

No. 214, S.—A bill to abolish time sentences to the State Prison. Senator Reed. To Committee on Judiciary, 237; reported adversely, 398; recommitted to select committee, 399; reported with amendment and ordered printed, 406; recommitted to Committee on Judiciary, 462; reported adversely, 538; indefinitely postponed, 548.

No. 215, S.—A bill to codify and consolidate all laws in relation to town insurance companies. Senator R. E. Davis. To select committee, 237; reported with amendment, ordered printed, and recommitted to Committee on Judiciary, 388; reported favorably, 511; amended, passed, 522; Assembly concurs, 568; enrolled, 677; approved 690; published as chapter 344.

No. 216, S.—A bill relating to the city of Portage, and amendatory of chapter 437, of the private and local laws of 1868. Senator Barden. To select committee, 237; reported with amendments, amended, passed, title amended to read: A bill relating to the city of Portage, and codifying, consolidating, and amending the act of incorporation, and all acts amendatory thereof, 374; Assembly concurs, 389; enrolled, 500; approved, 603; published as chapter 122.

No. 217, S.—A bill to authorize town supervisors to form fire-districts, and to purchase apparatus for the extinguishment of fires in unincorporated villages, and maintenance of fire departments in such villages. Senator Barden. To Committee

on Incorporations, (Banks, Banking, and Insurance,) 237; reported adversely, 534; indefinitely postponed, 547.

No. 218, S.—A bill to appropriate to Columbus Union Fair and Agricultural Society a sum of money. Senator Barden. To Committee on Claims, 237; reported adversely, 386; recommitted to Committee on Claims, 395; reported adversely, 560; allusion to, 586; select committee reported with amendment, amended, passed, title amended: A bill to authorize the Columbus Union Fair and Agricultural Society to file reports, and for other purposes, 666; Assembly concurs, 680; enrolled, 679; approved, 691; published as chapter 393.

No. 219, S.—A bill to prohibit county, city, village, or town treasurers from holding their office more than two terms in succession. Senator Farr. To Committee on Judiciary, 237; reported adversely, 431; indefinitely postponed, 461.

No. 220, S.—A bill to repeal chapter 112, of the private and local laws of 1859, entitled, "An act to annex a part of the city of Kenosha to the town of Pleasant Prairie." Senator Farr. To Committee on Town and County Organization, 237; reported with amendment, 312; amended, ordered engrossed, 319; correctly engrossed, 342; passed, 349.

No. 221, S.—A bill to incorporate the city of River Falls. Senator Barron. To select committee. Senator Barron. Not printed, 238; reported with amendment, 387; ordered printed, 388; passed, 462; Assembly concurs, 542; enrolled, 651; approved, 688; published as chapter 320.

No. 222, S.—A bill to improve the Chippewa River, and its tributaries above Eau Claire Rapids, for log-driving purposes. Senator Flint. To select committee, Senator Flint, 238.

No. 223, S.—A bill to amend chapter 45, of the general laws of 1871, entitled, "An act to amend section 1, of chapter 53, of the general laws of 1858, entitled, 'an act for the formation and protection of county agricultural societies.'" Senator Barron. To Committee on Agriculture, 238; reported favorably, 329; ordered engrossed, 337; engrossed, 343; passed, 349; Assembly concurs, 517; enrolled, 527; approved, 605; published as chapter 155.

No. 224, S.—A bill for the protection of white-fish in Lake Michigan, and to preserve the purity of its waters and of the streams entering therein. Senator Bryant. To Committee on State Affairs, not printed, 238; reported with substitute, 316; considered, 368, 680; recommitted to select committee, 396; reported and recommitted to select committee, 500.

No. 225, S.—A bill to amend section 4, of chapter 342, of the private and local laws of 1863, entitled, "An act to incorporate to Albion Academy and Normal Institute." Senator Silverthorn. To Committee on Incorporations, 238; reported without recommendation, 373; indefinitely postponed, 379.

No. 226, S.—A bill to attach Lincoln county to the 8th congressional district. Senator Silverthorn. To Committee on Judiciary, 226; reported favorably, 372; recommitted to select committee, 379; reported with amendment, ordered printed, 388; amended, ordered engrossed, 422; correctly engrossed, 450; passed, title amended: "A bill to attach Lincoln county to the 8th congressional district, and to organize the towns of Corning and Pine River therein." 460; Assembly concurs, 608; enrolled, 615; approved, 643; published as chapter 241.

No. 227, S.—A bill to revise, consolidate, and amend the charter of the city of La Crosse, approved February 19, 1869, and the several acts amendatory thereof. Senator Nevins. To select committee, Senator Nevins, 238; reported with amendment, rules suspended and passed, 367; Assembly concurs, 376; correctly enrolled, 540; approved, 605; published as chapter 135.

No. 228, S.—A bill to amend certain sections of chapter 13, of the revised statutes, entitled, "Of counties and county officers." Senator Nevins. To Committee on Judiciary, 238; reported without recommendation, 539; amended; considered, 584; ordered engrossed, 594; engrossed, 596; passed, 619; Assembly concurs, 681; enrolled, 679; approved, 692; published as chapter 404.

No. 229, S.—A bill to provide for the numbering consecutively of instruments or writings offered for record or to be filed in the office of register of deeds. Senator Nevins. To Committee on Judiciary, 239; reported without recommendation, 539;

ordered engrossed, 621; engrossed, 625; passed, 647; Assembly concurs, 680; enrolled, 679; approved, 692; published as chapter 403.

No. 230, S.—A bill to repeal chapter 77, of the laws of 1873, relating to copies of papers in legal actions. Senator Wilmot. To Committee on Judiciary, 239; reported adversely; recommitted to select committee, 399.

No. 231, S.—A bill to amend chapter 109, of the general laws of 1874, entitled, "An act to provide for the proper safe-keeping of the report of the geological survey." Senator Nevins. To Committee on Education, 239; reported favorably, 330; ordered engrossed, 337; engrossed, 343; passed, 349; Assembly concurs, 491; enrolled, 513; approved, 603; published as chapter 133.

No. 232, S.—A bill for the protection of fish in the inland waters of the State. Senator Nevins. To Committee on State Affairs, 239; reported with substitute, 316; considered, 380, 462, 481; considered in Committee of the Whole, reported with amendment, 492; considered, 523; amended, indefinitely postponed, 529.

No. 233, S.—A bill to submit to the people an amendment to section 23, of article 4, of the constitution of the State of Wisconsin. Senator Treat. To Committee on Judiciary, 233; reported favorably, 384; ordered engrossed, 394; engrossed, 398; passed, 410; Assembly refused to concur, 609.

No. 234, S.—A bill for the relief and protection of stockholders in railroad corporations. Senator Rounds. To Committee on Railroads, 239; reported adversely, 450; recommitted to select committee, 462; reported with amendment, 563; amended, passed, title amended: "A bill relating to the circuit court of the county of Winnebago," 584; Assembly concurs, 618; enrolled, 651; approved, 688; published as chapter 318.

No. 235, S.—A bill relating to the publication of the Legislative Manual, and amendatory of chapter 72, of laws of 1873. Senator Hiner. To Committee on Legislative Expenditures, 239; reported with amendment, 416; recommitted to select committee, 461; reported with amendments, 600; amended, passed, 657; Assembly indefinitely postponed, 683.

No. 236, S.—A bill to amend section 1, of chapter 299, of the general laws of 1873, entitled, "An act to amend chapter 56, general laws of 1870, entitled, 'an act to provide for the incorporation and government of fire and inland-navigation insurance companies.'" Senator Rounds. To Committee on Banks, Banking, and Insurance, 239; reported favorably, 386; ordered engrossed, 394; engrossed, 398; passed, 410; reconsidered, 586; amended and passed, 587; Assembly concurs, 606; enrolled, 627; approved, 663; published as chapter 300.

No. 237, S.—A bill to authorize the directors of Wisconsin State Prison to lease the labor of the convicts therein confined. Senator Hathaway. To Committee on State Prison, not printed, 239; reported with amendments and ordered printed, 396; amended, ordered engrossed, 422; engrossed, 449; passed, 459; Assembly concurs, 606; enrolled, 626; approved, 662; published as chapter 288.

No. 238, S.—A bill to amend section 1, of chapter 33, of the general laws of 1874, relating to permanent land-marks. Senator Wilmot. To Committee on Internal Improvements, 240; reported favorably, 344; ordered engrossed, 350; engrossed, 360; passed, 367; Assembly concurs, 608; enrolled, 628; approved, 663; published as chapter 299.

No. 239, S.—A bill to amend section 2, of chapter 120, of the general laws of 1862, in relation to county surveyors. Senator Wilmot. To Committee on Internal Improvements, 240; reported favorably, 344; ordered engrossed, 350; engrossed, 360; passed, 367; Assembly concurs, 518; enrolled, 527; approved, 604; published as chapter 136.

No. 240, S.—A bill relating to the powers of county boards of supervisors, and amendatory of section 2, of chapter 152, laws of 1875. Senator Downs. To Committee on Roads, Bridges, and Ferries, 240; reported favorably, 402; ordered engrossed, 412; engrossed, 415; passed, 421; Assembly concurs, 608; enrolled, 627; approved, 662; published as chapter 282.

No. 241, S.—A bill to authorize and empower the School Land Commissioners to extend the time for payment of balance of principal on loan to school-district No. 2, town of Richland, county of Richland, and State of Wisconsin. Senator Downs.



To Committee on Education, 240; reported favorably, 330; ordered engrossed, 337; engrossed, 343; passed, 349; Assembly concurs, 491; enrolled, 513; approved 603; published as chapter 118.

No. 242, S.—A bill to appropriate a certain sum of money therein named to J. Henry Tate. Senator Downs. To select committee, not printed, 240; reported and recommitted to Committee on Claims, 472; reported with amendments, 553; recommitted to Committee on State Affairs, 559; reported with amendments, 561; amended, ordered engrossed, 571; engrossed, 576; passed, 594; Assembly concurs, 645; enrolled, 651; approved, 662; published as chapter 278.

No. 243, S.—A bill to cure all defects and irregularities in the proceedings relative to the reorganization into joint stock company by the Waukesha County Agricultural Society. Senator Blair. To Committee on Agriculture, 240; reported favorably, 329; ordered engrossed, 337; engrossed, 360; passed, 367; Assembly concurs, 491; enrolled, 514; Governor refuses to approve; Senate refuses to pass the bill, 582.

No. 244, S.—A bill to amend chapter 59, of the laws of Wisconsin, for 1875, entitled, "An act to incorporate the city of Oconomowoc." Senator Blair. To Committee on Incorporations, not printed, 240; reported with amendment, 599; amended and engrossed, 611; engrossed, 610; passed, title amended: "A bill authorizing cities to make appropriations for celebrating the 4th of July, 1876," 619; Assembly refused to concur, 645.

No. 245, S.—A bill for the preservation of fish in Lake Marion, Dane county. Senator R. E. Davis. To Committee on State Affairs, 240; reported favorably, 417; ordered engrossed, 422; engrossed, 449; passed, 459; Assembly concurs, 608; enrolled, 627; approved, 662; published as chapter 291.

No. 246, S.—A bill to consolidate and amend the game-laws of Wisconsin. Senator R. E. Davis. To Committee on State Affairs, not printed, 240; reported with amendment, 316; amended, considered, 368, 380, 462, 481; considered in Committee of the Whole; reported with amendment, 492; considered, 524; indefinitely postponed, 530; refused to take from the table, 555.

No. 247, S.—A bill to reconstruct the 11th judicial circuit, and fix the time for holding the terms thereof. Senator Flint. To Committee on Judiciary, 241; reported with amendments, 384; amended and ordered engrossed, 394; engrossed, 398; passed, 409; Assembly concurs, 491; enrolled, 500; approved, 602; published as chapter 112.

No. 248, S.—A bill requiring the Wisconsin Central Railroad Company, to relay its track and maintain and operate its road from Menasha to Appleton. Senate Schuette. To Committee on Railroads, 241; reported adversely, 404; considered, 411; recommitted to select committee, 446.

No. 249, S.—A bill to provide for a State sinking-fund. Senator Bryant. To Committee on State Affairs, 241; reported favorably, 331; refused engrossment, 338.

No. 250, S.—A bill to amend section 112, of chapter 152, general laws of 1869, entitled, "An act to codify the laws of this State relating to highways and bridges," Senator Bryant. To Committee on Roads, Bridges, and Ferries, 241.

No. 251, S.—A bill to appropriate to the Governor a certain sum of money for a contingent fund. Senator Bryant. To Committee on State Affairs, 241; reported with amendment, 312; amended, to Committee on Claims, 320; reported favorably without amendment, 385; ordered engrossed, 395; engrossed, 398; passed, 410; enrolled, 597; Assembly concurs, 608; approved, 643; published as chapter 233.

No. 252, S.—A bill relating to the issue of State warrants. Senator Bryant. To Committee on State Affairs, 241; reported, recommitted to Committee on Judiciary, 314; reported with amendment, 415; amended, ordered engrossed, 422; engrossed, 450; passed, 459; Assembly refused to concur, 609.

No. 253, S.—A bill to protect depositors in State and national banks. Senator Bryant. To Committee on Banks, Banking, and Insurance, 241; reported adversely, 534; considered, 556; recommitted to select committee, 557.

No. 254, S.—A bill to appropriate to Atwood & Culver the sum of money therein named. Senator Campbell. To Committee on Printing, 241; reported and recommitted to Committee on Claims, 471; reported adversely, 560; alluded to, 586; or-

dered engrossed, passed, 656; Assembly concurs, 681; enrolled, 678; approved, 691; published as chapter 401.

No. 255, S.—A bill to amend chapter 113, of the private and local laws of 1867, and chapter 402, of the private and local laws of 1869, relating to the village of Shullsburg. Senator Campbell. To Committee on Judiciary, 241; reported with amendment, 415; ordered engrossed, 461; engrossed, 467; passed, 478; Assembly concurs, 607; enrolled, 626; approved, 662; published as chapter 293.

No. 256, S.—A bill to provide for the election of justices of the peace in the city of Watertown. Senator Reed. To Committee on Judiciary, 241; reported without recommendation, 580; passed, 595; Assembly concurs, 644; enrolled, 677; approved, 689; published as chapter 330.

No. 257, S.—A bill in relation to the boundaries of the town of Baldwin, in St. Croix county. Senator Barron. To Committee on Judiciary, 242; reported without recommendation, recommittees to select committee, 372; reported with amendment, 472; recommitted to select committee, 505; reported favorably, 562; amended, ordered engrossed, 584; engrossed, 594; passed, title amended: A bill relating to jurors in the courts of Milwaukee county, 619; Assembly indefinitely postponed, 683.

No. 258, S.—A bill relating to trespassing on State lands, and for the repeal of chapter 21, of the general laws of 1871, entitled, "An act to consolidate and amend the laws relating to trespassing on State lands." Senator Rounds. To Committee on Public Lands, 242; reported favorably, 345; postponed, 351; considered, 396; considered, amended, 442; ordered engrossed, 445; engrossed, recommitted to Committee on Public Lands, 450; reported with amendment, 471; passed, 478; Assembly concurs, 636; enrolled, 651; approved, 688; published as chapter 314.

No. 259, S.—A bill to provide for the payment of costs arising from actions brought in the name of the State, by a special treasury-agent. Senator Schuette. To Committee on Claims, 242; reported unfavorably, 315; to Committee on Judiciary, 320; reported favorably, 452; ordered engrossed, 461; engrossed, 467; passed, 478; Assembly refused to concur, 609.

No. 260, S.—A bill to amend section 3, chapter 3, of the general laws of 1871, entitled, "An act to fix the time of holding court in 11th judicial circuit, and to provide for the appointment of special terms of court, and to dispense with grand and petit jurors at certain terms." Senator Barron. To Committee on Judiciary, 242; reported favorably, 371; ordered engrossed, 379; engrossed, 383; passed, 393; Assembly concurs, 517; enrolled, 527; approved, 605; published as chapter 138.

No. 261, S.—A bill to amend sections 1, 2, and 3, of chapter 299, of the laws of Wisconsin of 1875, entitled, "An act to prescribe the duties and regulate the fees of the lumber-inspector of the fourth district." Senator Barron. To Committee on Judiciary, 242; reported favorably, 372; ordered engrossed, 379; engrossed, 383; passed, 393; Assembly concurs, 607; enrolled, 627; approved, 663; published as chapter 296.

No. 262, S.—A bill to amend section 25, of chapter 152, general laws of 1869, entitled, "An act to codify the laws of this State relating to highways and bridges." Senator Barron. To Committee on Judiciary, 242, reported without recommendation, 580; refused engrossment, 657.

No. 263, S.—A bill to regulate the times of holding the circuit court in Dane county. Senator R. E. Davis. To Committee on Judiciary, 255; reported favorably, rules suspended, passed, 288; Assembly concurs, 302; correctly enrolled, 333; presented to Governor, 346; signed by Speaker, signed by President, 358; approved, 473; published as chapter 367.

No. 264, S.—A bill to amend chapter 342, of the private and local laws of 1868, entitled, "An act to incorporate the Manitowoc and Minnesota Railroad Company, for the relief of the stockholders and directors therein named." Senator Ryan. To select committee, Senator Ryan, 255.

No. 265, S.—A bill relating to the issue of State warrants upon the requisition of the executives of other States. Senator Bryant. To Committee on State Affairs, 255; reported favorably, 598; engrossed, 625; passed, 647; Assembly concurs, 680; enrolled, 679; approved, 691; published as chapter 394.

No. 266, S.—A bill to detach certain territory from the city of Fort Howard, and

attach the same to the town of Ashwabanon, Brown county. Senator Hudd. To Committee on Judiciary, 255; reported favorably, 372; ordered engrossed, 422; engrossed, 450; passed, 459.

No. 267, S.—A bill relating to actions on appeals to the Supreme Court. Senator Hudd. To Committee on Judiciary, 255; reported favorably, 372; ordered engrossed, 379; engrossed, 383; passed, 393; Assembly concurs, 517; correctly enrolled, 526; approved, 605; published as chapter 151.

No. 268, S.—A bill to require village and city authorities to construct vaults or structures for temporary keeping of dead bodies before interment in certain cases. Senator Schuette. To Committee on Judiciary, 255; reported favorably, 372; ordered engrossed, 379; engrossed, 383; passed, 393; Assembly concurs, 608; enrolled, 628; approved, 663; published as chapter 301.

No. 269, S.—A bill to amend section 29, chapter 56, general laws of 1870, entitled, "An act to provide for the incorporation and government of fire and inland navigation and insurance companies." Senator Jacobs. To Committee on Banks, Banking, and Insurance, 256; reported favorably, 386; ordered engrossed, 394; engrossed, 415; passed, 421; Assembly refused to concur, 609.

No. 270, S.—A bill to appropriate a sum of money therein named to pay for additional copies of the Legislative Manual for 1876. Senator Bryant. To select committee, Senator Bryant, not printed, 256; reported; to Committee on Claims, 366; reported favorably, 403; ordered engrossed, 422; engrossed, 449; passed, 459; Assembly concurs, 565; enrolled, 587; approved, 642; published as chapter 232.

No. 271, S.—A bill relating to the discontinuance of roads by user, and amendatory of section 85, of chapter 19, of the revised statutes, entitled, "Of roads and bridges." Senator Flint. To Committee on Roads, Bridges, and Ferries, 256; reported favorably, 330; ordered engrossed, 368; engrossed, 383; passed, 394; Assembly concurs, 644; enrolled, 677; approved, 690; published as chapter 346.

No. 272, S.—A bill relating to two or more election districts in one town, and amendatory of chapter 444, general laws of 1864. Senator Barden. To Committee on Judiciary, 256; reported with amendment, 512; amended; passed; title amended: "A bill to amend chapter 444, of the general laws of 1864, and section 1, of chapter 232, of the general laws of 1875," 522. Assembly concurs, 644; correctly enrolled, 677; approved, 690; published as chapter 336.

No. 273, S.—A bill for the construction of a dam on Otter Creek, township 40, range 18, east, in Oconto county, Wisconsin, and maintain the same for manufacturing purposes. Senator Rounds. To select committee, Senator Rounds, not printed, 256; reported favorably, 489; ordered engrossed, 522; correctly engrossed, 533; passed, 545; Assembly concurs, 644; enrolled, 677.

No. 274, S.—A bill to amend an act entitled, "An act to incorporate the city of Ripon." Senator Baker. To Committee on Incorporations, 256; reported favorably, recommitted to select committee, 312; reported with amendment; rules suspended; passed; title amended to read: "A bill amendatory of chapter 72, of the private and local laws of 1858, relating to the city of Ripon," 346; Assembly concurs, 376; correctly enrolled, 465; signed by Speaker, signed by President, 419; presented to Governor, 430; approved, 475; published as chapter 82.

No. 275, S.—A bill to amend section 1, chapter 139, laws of 1871, entitled, "An act to amend chapter 104, of the general laws of 1870." Senator Flint. To select committee, Senator Flint, 256.

No. 276, S.—A bill to found the Wisconsin Home for the Incurable Insane. Senator Reed. To select committee, Senator Reed, not printed, 256; reported with amendment and amendment ordered printed, 375; reported adversely, recommitted to select committee, 486; reported with amendment, recommitted to Committee on Claims, 501; reported with amendment, 588; amended, ordered engrossed, 621; correctly engrossed, 625; passed; title amended: "A bill to appropriate a sum of money therein named to the Wisconsin Dairyman's Association for the purpose of publishing the annual report," 647; Assembly refused to concur, 684.

No. 277, S.—A bill to authorize the State Board of Charities and Reform to transfer insane persons from one hospital to another, in certain cases. Senator Reed. To Committee on Charitable and Penal Institutions, 256; reported with amendment,

416; amended, ordered engrossed, 422; engrossed, 450; passed, 459; Assembly concurs, 606; enrolled, 615; approved, 643; published as chapter 239.

No. 278, S.—A bill relating to petitions for laying out, discontinuing, or vacating highways, in Polk county. Senator Barron. To Committee on Roads, Bridges, and Ferries, 257.

No. 279, S.—A bill to repeal a portion of chapter 156, of the private and local laws of 1833, entitled, "An act declaring Balsam Branch, Sucker Lake, and Sucker Branch, in the county of Polk, navigable for the purpose of driving logs, and also to repeal a portion of chapter 430, of the private and local laws of 1868, entitled, an act to incorporate the Apple River Log-Driving Company." Senator Barron. To Committee on Judiciary, 257; reported favorably, 384; ordered engrossed, 394; engrossed, 397; passed, 409; Assembly concurs, 680; enrolled, 679; approved, 691; published as chapter 396.

No. 280, S.—A bill to amend section 1, of chapter 284, of the laws of Wisconsin, of 1875, entitled, "An act in relation to the duties and fees of registers of deeds, and other county officers in certain cases." Senator Barron. To Committee on Judiciary, 257; reported adversely, 538; indefinitely postponed, 547.

No. 281, S.—A bill to enable certain towns in the county of Polk to settle their present indebtedness. Senator Barron. To select committee, Senator Barron; not printed, 257; reported with amendments, 469; amended, ordered engrossed, 480; correctly engrossed, 482; passed; title amended: "A bill to enable the boards of supervisors of the towns of Loraine and Milltown, in the county of Polk, to issue bonds to settle their present indebtedness," 504; Assembly concurs, 606; enrolled, 628; approved, 662; published as chapter 293.

No. 282, S.—A bill in relation to the State Library. Senator Barron. To Committee on Education, 257; reported favorably, 330; amended and ordered engrossed, 338; engrossed, 343; passed, 349; Assembly concurs, 490; enrolled, 514; approved, 603; published as chapter 116.

No. 283, S.—A bill declaring certain waters of the Kinnickinnick River, in the town of Lake, Milwaukee county, to be navigable waters. Senator Mitchell. To select committee, Senators Mitchell and Jacobs, 257; alluded to, 261; reported favorably, 306; ordered engrossed, 319; engrossed, 343; passed, 349; Assembly concurs, 491; enrolled, 514; approved, 603; published as chapter 115.

No. 284, S.—A bill in relation to express companies in the State of Wisconsin. Senator Potter. To Committee on Railroads, 257; reported adversely, 405; considered, 411; indefinitely postponed, 446.

No. 285, S.—A bill to legalize the action of the Dunn county board of supervisors, in fixing the salary of the county superintendent of schools of said county. Senator Flint. To select committee, Senator Flint, 257.

No. 286, S.—A bill to detach the county of Barron from the 8th judicial circuit and to attach said county to the 11th judicial circuit, and to fix the terms of court therein. Senator Flint. To Committee on Judiciary, 258; reported adversely, 539; recommitted to select committee, 548; reported with amendment, 642; amended; passed; title amended: "A bill to enable the common council of the city of Portage to make an appropriation for celebrating the 4th of July," 657; Assembly refused to concur, 684.

No. 287, S.—A bill to amend section 3, of chapter 292, of the laws of Wisconsin, of 1873, entitled, "An act to provide for a complete geological survey of Wisconsin, and to repeal chapter 137, of the general laws of 1870, entitled, an act to provide for the survey of the lead district, making maps and collecting statistics from the same, and chapter 136, of the general laws of 1872, amendatory thereof." Senator Barron. To Committee on Education, 258; reported favorably, 469; ordered engrossed, 480; engrossed, 482; passed, 504; Assembly refused to concur, 609.

No. 288, S.—A bill to lay out a highway from the city of Menasha to Woodville, in Calumet county. Senator Rounds. To select committee, Senator Rounds, not printed, 258; reported with amendment, 452; amended, passed, title amended: A bill to amend chapter 47, laws of 1876, entitled, "An act to codify, consolidate, and amend the act to incorporate the city of Appleton, and the several acts amendatory thereof," 482; Assembly concurs, 502; enrolled, 527; approved, 604; published as chapter 134.

No. 289, S.—A bill to amend chapter 125, of the general laws of 1875, entitled, "An act to provide for costs on suits of *certiorari* from justices of the peace." Senator Farr. To select committee, Senator Farr, 258; reported, Committee on Judiciary, 333; reported adversely, 398; indefinitely postponed, 411.

No. 290, S.—A bill repealing chapter 147, of the private and local laws of 1871, and all acts amendatory thereof, relating to the taking of fish in Pine Lake, in Washington county, Wisconsin. Special committee, Senator Wilmot. Passed, 317; Assembly concurs, 517; enrolled, 576; approved, 642; published as chapter 222.

No. 291, S.—A bill to amend chapter 203, of the laws of Wisconsin of 1875, entitled, "An act to provide for the revision of the statutes." Committee on Judiciary, 384; ordered engrossed, 422; engrossed, 450; passed, 459; Assembly amended and concurred, 646; concurred in Assembly amendment, 682; (erroneously journalized as No. 251, S.;) enrolled, 677; approved, 688; published as chapter 317.

No. 292, S.—A bill to authorize the Governor to purchase the cabinet and library of the late Increase A. Lapham. Committee on Education, 403; reported without recommendation, 587; ordered engrossed, 634; engrossed, 640; passed 647; Assembly concurs, 683; enrolled, 685; approved, 692; published as chapter 400.

No. 293, S.—A bill to amend section 76, of chapter 7, of the revised statutes, entitled, of general and special elections, and the manner of conducting the same, and the canvass. Committee on Privileges and Elections, 432; ordered engrossed, 505; engrossed, 510; passed, 511; Assembly concurs, 606; enrolled, 615; approved, 643; published as chapter 246.

No. 294, S.—A bill to appropriate a sum of money therein named to the directors of the State Prison for the purpose of providing hospital accommodations for the criminal insane within the prison. Committee on Charitable and Penal Institutions. To Committee on Claims, 449; reported with amendment, 582; amended and ordered engrossed, 611; correctly engrossed, 615; passed 619; title amended: A bill to appropriate a sum of money therein named to the directors of the State Prison for the purpose of providing hospital accommodations for criminal insane within the prison, and to reimburse the prison for goods furnished the State of Wisconsin, 620; Assembly refuses to concur, 645.

No. 295, S.—A bill relating to the publication of local laws. Joint Committee on Printing. To Committee on Judiciary, 487; reported with amendment, 579; amended, passed, 594; Assembly amended and concurred in as amended, 681; assembly amendments concurred in, 681; enrolled, 685; approved 691; published as chapter 389.

No. 296, S.—A bill relating to the distribution of the Senate and Assembly journals and other documents. Select committee consisting, of Senator Barron. Passed, 554; Assembly concurs, 608; enrolled, 626; approved, 662; published as chapter 283.

No. 297, S.—A bill in recognition of a certain claim [D. K. Tenney's] against the State, and to appropriate money in settlement therefor, and for other purposes. Committee on Education. To Committee on Claims, 581; reported adversely, 615; refused engrossment, 657.

No. 298, S.—A bill to apportion the State into Senate and Assembly districts. Joint Committee on Re-apportionment, 612; considered, 613; amended, 631; considered, 633; amended, passed, 638; Assembly concurs, 654; enrolled, 679; approved, 690; published as chapter 343.

No. 299, S.—A bill to provide for levying a State tax for the year 1876. Finance Committee. General file, 631; passed, 658; Assembly concurs, 673; enrolled, 678; approved, 689; published as chapter 328.

No. 300, S.—A bill conferring certain powers on the city of Portage. Select committee, Senator Barden. Passed, 664; Assembly concurs, 685; enrolled, 685; approved, 691; published as chapter 415.

## MEMORIALS TO CONGRESS.

M. C. No. 1, S.—For the establishment of a daily mail-route between Marine Mills, Washington county, Minnesota, *via* Farmington Center, to Osceola Mills Wisconsin. Senator Barron. Introduced and referred to Committee on Federal Relations, 18; reported favorably, 74; considered, 80; ordered engrossed, 81; engrossed, 109; passed, 114; Assembly concurs, 208; enrolled, 224; presented to Governor, 245; signed by Speaker, signed by President, 248; approved, 304; presented to Governor, 361; published as No. 3.

M. C. No. 2, S.—For increased mail facilities in the counties of Green Lake and Waushara. Senator Potter. Introduced and referred to Committee on Federal Relations, 33; reported favorably, considered, 80; ordered engrossed, 81; engrossed, 109; passed, 114; Assembly concurs, 208; enrolled, 224; presented to Governor, 245; signed by Speaker, signed by President, 248; approved, 304; presented to Governor, 361; published as No. 2.

M. C. No. 3, S.—Requesting an investigation to be made into the right of Geo. W. Cate, to occupy a seat as member of Congress for the 8th district of Wisconsin. Senator Flint. To Committee on Federal Relations, 34; reported without recommendation, 74; considered, 80; amended, postponed, 81; amendments submitted, 98; considered and amended, 162; ordered engrossed, 163; engrossed, 193; passed, 199; Assembly amended and concurred, 502; Assembly amendments concurred in, 502; enrolled, 597; approved, 643; published as No. 13.

M. C. No. 4, S.—Relating to increased mail facilities in the northern portion of Sauk county. Senator Welch. To Committee on Federal Relations, 72; reported favorably, 112; ordered engrossed, 114; engrossed, 135; passed, 138; Assembly concurs, 213; enrolled, 263; signed by Speaker, signed by President, 275; presented to Governor, 276; approved, 304; published as No. 4.

M. C. No. 5, S.—For an increase of mail-service from Durand to Pepin, in Pepin county. Senator Flint. To Committee on Federal Relations, 72; reported favorably, 112; ordered engrossed, 114; engrossed, 135; passed, 138; Assembly concurs, 213; enrolled, 263; signed by Speaker, signed by President, 275; presented to Governor, 305; published as No. 8.

M. C. No. 6, S.—For an appropriation to improve the navigation of the Chippewa River. Senator Flint. To Committee on Federal Relations, 77; reported favorably, 112; ordered engrossed, 114; engrossed, 135; passed, 138; Assembly concurs, 214; enrolled, 263; signed by Speaker, signed by President, 274; presented to Governor, 276; approved, 304; published as No. 5.

M. C. No. 7, S.—For the establishment of a mail-route from Wausau to Colby, *via* Stettin, Marathon, and Wien. Senator Silverthorn. To Committee on Federal Relations, 77; reported favorably, 112; ordered engrossed, 115; engrossed, 135; passed, 138; Assembly concurs, 214; enrolled, 263; signed by Speaker, signed by President, 275; presented to Governor, 276; approved, 304; published as No. 6.

M. C. No. 8, S.—For an increased appropriation for the extension of the signal-service. Senator Hiner. To Committee on Federal Relations, 106; reported favorably, 135; ordered engrossed, 139; engrossed, 160; passed, 163; Assembly concurs, 376; enrolled, 405; signed by Speaker, signed by President, 419; presented to Governor, 430; approved, 474; published as No. 10.

M. C. No. 9, S.—For an appropriation to improve the navigation of the St. Croix River. Senator Barron. To Committee on Federal Relations, 106; reported with amendment, 259; amended and ordered engrossed, 263; engrossed, 275; passed, 280; Assembly concurs, 607; enrolled, 626; approved, 663; published as No. 15.

M. C. No. 10, S.—For the establishment of a tri-weekly mail-route from Marquette, in Green Lake county, *via* Kingston to Portage, in Columbia county. Senator Barden. To Committee on Federal Relations, 133; reported favorably, 195; ordered engrossed, 200; engrossed, 206; passed, 208; Assembly concurs, 377; enrolled, 405; signed by Speaker, signed by President, 420; presented to Governor, 430; approved, 474; published as No. 11.

M. C. No. 11, S.—Relating to the harbors of Manitowoc and Two Rivers. To Committee on Federal Relations, 205; reported favorably, 259; ordered engrossed, 267; engrossed, 275; passed, 280; Assembly concurs, 607; enrolled, 626; approved, 663; published as No. 16.

M. C. No. 12, S.—To provide fishways at the dams and locks on the Fox River, in the State of Wisconsin. Senator Barney. To Committee on Federal Relations, 258; reported favorably, 345; ordered engrossed, 350; engrossed, 360; passed, 367; Assembly concurs, 607; enrolled, 626; approved, 664; published as No. 18.

M. C. No. 13, S.—Requesting an investigation into alleged frauds upon the revenue of the United States, within the State of Wisconsin. Senator Silverthorn. To Committee on Federal Relations, 258; reported with substitute; to Federal Relations, 329; recommitted, 338; reported adversely, 560; laid on the table, 667.

M. C. No. 14, S.—For amendments to the patent-laws. Committee on Federal Relations, 418; ordered engrossed, 423; engrossed, 449; passed, 459; Assembly concurs, 607; enrolled, 626; approved, 663; published as No. 14.

M. C. No. 15, S.—For an increase of mail-service along mail-route No. 25, 151, from Lake Fire to Hartford, Washington county, Wisconsin. Committee on Federal Relations, 433; ordered engrossed, 461; correctly engrossed, 467; passed, 478; Assembly concurs, 607; correctly enrolled, 626; approved, 663; published as No. 17.

M. C. No. 16, S.—For the completion of the improvement of the Wisconsin and Fox Rivers. Committee on Internal Improvements, 581; ordered engrossed, 620; engrossed, 625; passed, 647; Assembly concurs, 685; enrolled, 685; approved, 691; published as No. 19.

## JOINT RESOLUTIONS.

No. 4, S.—To appoint joint committee to consider and report on re-apportionment of the State into Senate and Assembly districts. Senator Barron, 10; adopted; 15; Assembly adopts, 18; returned to Assembly, 21; Assembly returns, 52.

No. 5, S.—Pertaining to a consolidated official Centennial directory of the Government of the United States for the year A. D. 1876. Senator Wilmot. To Committee on Federal Relations, 48; reported favorably, 74; considered, 80; ordered engrossed, 81; correctly engrossed, 109; adopted, 114; Assembly amend and concur, 347; Assembly amendments concurred in, 348; signed by Speaker, signed by President, 407; presented to Governor, 429; approved, 475; published as No. —.

No. 6, S.—Relating to the erection, by the United States Government, of a custom-house, post-office, and other buildings at Green Bay, Wisconsin. Senator Hudd, 66; adopted, 71; Assembly concurs, 79; correctly enrolled, 87; signed by Speaker, signed by President, 97; presented to Governor, 158; approved, 303; published as No. 1.

No. 9, S.—Instructing and requesting our Senators and Representatives in Congress to oppose certain bill in Congress, relating to the St. Croix land-grant. Senator Barron, 83; adopted, 96; Assembly adopts, 97; enrolled, 111; signed by Speaker, signed by President, 136; presented to Governor, 158; approved, 303; published as No. 2.

No. 11, S.—Proposing an amendment to the constitution of the State of Wisconsin. Senator Downs. To Committee on Legislative Expenditures, 155; reported recommending reference to Committee on Judiciary, so referred, 196; reported adversely, 511; indefinitely postponed, 530.

No. 13, S.—Ratifying proposed constitutional amendment requiring legislature to establish but one system of town and county government. Senator Treat. To Committee on Judiciary, 204; reported favorably, 277; ordered engrossed, 281; engrossed, 289; adopted, 290; Assembly indefinitely postponed, 457.

No. 14, S.—Proposing an amendment to section 2, of article 8, of the constitution of this State. Senator Treat. To Committee on Judiciary, 217; reported favorably,

305; ordered engrossed, 318; correctly engrossed, 342; adopted, reconsidered, re-committed to Committee on Judiciary, 350; reported adversely, 512; amended and adopted, 530; Assembly adopts, 565; enrolled, 597; approved, 643; published as No. 7.

No. 15, S.—Instructing the Attorney-General to commence suit for the recovery of State-money. Senator Reed, 236; amended and adopted, 265; Assembly concurs, 335; enrolled, 345; signed by Speaker, signed by President, 358; presented to Governor, 361; approved, 474; published as No. 3.

No. 16, S.—To amend section 4, of article 7, of the constitution of the State of Wisconsin, providing for the enlargement of the Supreme Court to five judges. Senator Hudd. To Committee on Judiciary, 254; reported with amendment, 512; amended and adopted, 531; Assembly adopts, 644; enrolled, 678; approved, 689; published as No. 10.

No. 17, S.—Proposing an amendment to section 5, of article I, of the constitution of the State of Wisconsin, so as to dispense with the requirement of unanimous verdicts by juries. Senator Flint. To select committee, Senator Flint, 254; committee increased to five, 396; alluded to, 400; reported favorably, 435; considered, 481; considered in Committee of the Whole, reported without amendment, 492; indefinitely postponed, 493; reconsideration considered, 497; refused to reconsider, 543.

No. 18, S.—Requesting the establishment of a signal-station at Madison, Wisconsin. Senator Hiner. Adopted, 255; Assembly concurs, 335; enrolled, 345; signed by Speaker, signed by President, 358; presented to Governor, 361; approved, 473; published as No. 4.

No. 19, S.—Requesting the Governor to invite the Governors of other States to unite in celebrating the completion of the Fox and Wisconsin River Canal. Senator Barden, 311; to Committee on Internal Improvements, 348; reported favorably, 401; adopted, 410; Assembly concurs, 445; enrolled, 513; approved, 603; published as No. 6.

No. 21, S.—Relating to the adjournment of the legislature. Senator Tate, 397; to Committee on Judiciary, 418; reported with amendment, 512; Assembly amended and adopted; Assembly amendments amended and adopted, 673; Assembly concurs in Senate amendments, 681.

No. 23, S.—Relating to the location of the State Prison, and a hospital for the incurable insane. Senator H. N. Davis, 465; to Committee on Charitable and Penal Institutions, 467; reported favorably, 486; recommitted to Committee on Claims, 502; reported favorably, 592; amended, adopted, 618; Assembly adopts, 644; enrolled, 678; approved, 691; published as No. 13.

No. 24, S.—Authorizing the State Geologist to furnish the Board of Centennial Managers maps, specimens, &c. Senator Bryant. Adopted, 510; Assembly adopted, 542; enrolled, 576; approved, 642; published as No. 9.

No. 25, S.—For a committee of investigation to examine certain accounts. Senator Barden. Amended and adopted, 574; amended and adopted 654; Assembly amendments considered, 654; Assembly receded from its amendment 672; correctly enrolled, 678; approved 689; published as No. 11.

No. 26, S.—Authorizing the Secretary of State and State Treasurer to construe the act authorizing the appropriation to the Wisconsin State Hospital for the Insane, for the present year, as covering the months of January and February, of the year 1876. Senator H. N. Davis, 639; adopted, 640; Assembly adopts, 666; correctly enrolled, 678; approved 689; published as No. 12.

No. 27, S.—Relating to stationery for the board of revisers. Senator Bryant. Adopted, 676; Assembly concurs, 685.

No. 28, S.—Relating to Superintendent of Public Property. Committee of Conference. Adopted 682; Assembly concurs, 683.

No. 30, S.—Relating to final adjournment. Senator Barron. Adopted, 692; Assembly concurs, 692.



## RESOLUTIONS.

No. 4, S.—Instructing the Secretary of State to furnish the Senate with Taylor's revised statutes, general laws, Senate and Assembly journal. Senator H. N. Davis, 9; adopted, 15.

No. 8, S.—Requesting the State Treasurer to make statement. Senator Flint, 16; adopted, 20; replied to, 23.

No. 9, S.—Requesting the board of Railroad Commissioners to direct the land department of the West Wisconsin Railway Company to transmit statement relative to sale of land. Senator Flint, 16; postponed to 20th inst., 20; adopted, 49; replied to, 69.

No. 11, S.—Appointing committees on re-apportionment of State into Senate and Assembly districts. Senator Hiner, 20; amended, and postponed, 23; adopted, 67.

No. 13, S.—Authorizing Committees on Judiciary, Railroads, Enrolled Bills, and Engrossed Bills, to employ clerks. Senator Hiner, 22.

No. 15, S.—Relating to agents appointed by the Governor to protect the timber on the lands granted to the St. Croix and Superior Railroad Company, granting permits to cut grass thereon. Senator Barron, 76; amended and adopted, 85; replied to, 112.

No. 16, S.—Requesting the revisers of the statutes to report to Senate the condition of the work in their charge. Senator Schuette, 83; amended and adopted, 96; replied to, 147.

No. 17, S.—Calling for information from Attorney-General regarding suits against West Wisconsin Railway Company. Senator Barron, 83; adopted, 96; replied to, 125.

No. 19, S.—Requesting Railroad Commissioners to furnish a statement relative to lumber-consumption in the State of Wisconsin. Senator Douglas. Adopted, 105; replied to, 186, 269.

No. 20, S. Requesting Railroad Commissioners to furnish a copy of financial circular of the Chicago and Northwestern Railway Company. Senator Welch. Adopted, 105; replied to, 186.

No. 21, S.—Requesting Railroad Commissioners to furnish information relative to railroad revenues. Senator Welch. Adopted, 105; replied to, 269.

No. 22, S.—Relating to contested seat of J. Henry Tate and Reuben May. Committee on Privileges and Elections, 110; postponed, 124; adopted, 144.

No. 23, S.—Requesting the State Treasurer to make a statement of fees received by him. Senator Potter, 131; adopted, 144; replied to, 146.

No. 24, S.—Requesting the Secretary of State to make a statement in regard to fees received by him. Senator Potter, 131; adopted, 144; replied to, 146.

No. 25, S.—Relating to an increase of tax levied on suits. Senator Hiner. To Committee on Finance, 155; reported favorably, considered, amended, and referred to Committee on Judiciary, 196; reported, 277; to select committee, 280.

No. 27, S.—Requesting Railroad Commissioners to furnish information relating to freights. Senator Potter, 169; adopted, 183; replied to, 232.

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- No. 127, S. To amend chapter 171, private and local laws of 1868, to incorporate the.

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**WISCONSIN SEAMAN'S FRIEND SOCIETY—**

- No. 77, S. To appropriate to the, of Milwaukee, a sum of money.

**WISCONSIN STATE AGRICULTURAL SOCIETY—**

No. 11, S. To appropriate to the, a sum of money.

**WISCONSIN HOSPITAL FOR THE INSANE—**

No. 71, S. To provide for the enlargement of the.

89, S. To provide for acquiring title to certain pieces of land within the grounds of the.

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**WISCONSIN VALLEY RAILWAY COMPANY—**

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185, S. To authorize the Commissioners of School and University Lands to loan a portion of the trust-funds, to the.

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